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SANTA MONICA MOUNTAINS

NATIONAL RECREATION AREA / CALIFORNIA

Recommended by:

Daniel R. Kuehn
Superintendent
Santa Monica Mountains National Recreation Area
June 5, 1984

Approved by:

Howard H. Chapman
Regional Director
Western Region
June 5, 1984

LAND PROTECTION PLAN

Santa Monica Mountains National Recreation Area

California

U.S. Department of the Interior/National Park Service

June 1984

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LAND PROTECTION PLAN SUMMARY

1. Current Ownership	Acres
Federal - National Park Service	8,400
Other Federal	1,460
State and Local	40,060
Private	97,545
Total number of acres within authorized boundary	147,465

2. Number of Tracts Remaining to be Protected
   Fee - 553
   Easement - 589

3. Methods of Protection Proposed	Acres
Fee Acquisition - National Park Service	27,634
State	5,031
Easement Acquisition - National Park Service	16,017
Compatible Private Recreation Use	5,548
Cooperative Planning	28,476
Developed Area (not to be acquired)	14,829

4. Statutory Acreage Ceiling
   Not Applicable

5. Funding Status	
Authorized Acquisition Ceiling - Federal Acquisition	$125,000,000
Federal Grant Program	30,000,000
Appropriated to Date - Federal Acquisition	53,050,667
Federal Grant Program	4,230,000
Obligated to Date	45,262,380
Unobligated Balance	12,018,287

6. Top Priorities	Acres
Zuma/Trancas Canyons	3,707
Backbone Trail West	1,914
Yoti Loop Trail	976
Rancho Sierra Vista/Leo Carrillo Connection	2,570
Solstice Canyon	880
East Ridge Santa Maria Canyon	206
Hernandez Bowl	300
Individual Tracts with High Recreation Potential	566
Current Fee and Easement Acquisition Underway	4,113

7. Special Considerations
   Non-federal public land owned prior to November 10, 1978 can only be acquired by donation.

   The State of California has maintained a strong program of acquisition and has protected four major parks, coastal beaches, and a portion of a recreational trail. Local and state land use controls are an important aspect of land protection in the mountains, but the commitment to use this authority varies with each jurisdiction, depending upon the degree to which it shares common land use goals with the recreation area.

FINDINGS OF NO SIGNIFICANT IMPACT

An environmental assessment on the Land Protection Plan for Santa Monica Mountains National Recreation Area was prepared in accordance with the National Environmental Policy Act and National Park Service guidelines (See Appendix G). The plan contains a broad range of methods for protecting resource values, from direct purchase to cooperative programs that encourage private ownership. The proposed land protection measures will not have an adverse impact on the quality of the human environment. Positive long term effects include the protection of important natural and cultural resources, enhancement of visual quality, and the provision of additional educational and recreational opportunities.

Economic and sociocultural impacts were also considered in the environmental assessment. Impacts are mitigated by purchase at fair market value, payment to local governments in lieu of taxes, and acquisition of only the minimum interests necessary to meet the management objectives of the recreation area.

Based upon limited impacts, the National Park Service records a finding of no significant impact on this plan. Because the Land Protection Plan does not result in a major federal action that significantly affects the human environment, no further environmental documentation will be prepared.

Recommended by:

Daniel R. Tucker — 6/6/84

Superintendent
Santa Monica Mountains National
Recreation Area

Date

Approved by:

Howard W. Chapman — 6/6/84

Regional Director, Western Region

Date

LAND PROTECTION PLAN

I. INTRODUCTION

In April 1982, the Department of the Interior issued a policy statement for use of the federal portion of the Land and Water Conservation Fund. This policy statement requires that each federal agency using the fund will:

-- Identify what lands or interests in land need to be in federal ownership to achieve management unit purposes consistent with public objectives of the unit.

-- Use, to the maximum extent practical, cost-effective alternatives to direct federal purchase of private lands and, when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.

-- Cooperate with landowners, other federal agencies, state and local governments, and the private sector to manage land for public use or protect it for resource conservation.

-- Formulate, or revise as necessary, plans for land acquisition, resource use, and protection to assure that socio-cultural impacts are considered and the most outstanding areas are adequately managed.

In response to this policy, the National Park Service has prepared this Land Protection Plan which identifies the lands needed to protect significant natural, cultural, and scenic resources and to provide for public recreational and educational use of Santa Monica Mountains National Recreation Area. The plan also establishes priorities for protection. The plan is entitled Land Protection Plan because it includes a broad range of methods for protecting resource values, from direct purchase to cooperative programs that encourage private ownership. The plan was prepared with public participation and complies with relevant legislation, other Congressional guidelines, executive orders, and Department of the Interior and National Park Service policies. This plan will be reviewed biennially and revisions will be made as necessary to reflect changing conditions.

The Santa Monica Mountains National Recreation Area will always contain a considerable amount of privately owned land and several communities within its boundaries, which will require active cooperation between public and private landowners. Special considerations were given to the impacts of National Park Service land protection activities on residents within the area. Environmental impacts, including those on the socio-cultural environment, were assessed as this plan was prepared. An environmental assessment is included in this document as Appendix G.

It is important to note that the plan does not constitute an offer to purchase land or interests in land, and it does not diminish the rights of non-federal landowners. Any expenditure of acquisition funds will be based on this plan and the General Management Plan.

II. PURPOSES OF THE NATIONAL RECREATION AREA AND RESOURCES TO BE PROTECTED

A. Park Purpose and Legislation

Santa Monica Mountains National Recreation Area was established by Congress and signed into law on November 10, 1978 (Public Law 95-625, Sec. 507, the National Parks and Recreation Act of 1978. A copy of the legislation is included as Appendix H.)

This legislation states that:

(1) there are significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits provided by the Santa Monica Mountains and adjacent coastline area;

(2) there is a national interest in protecting and preserving these benefits for the residents of and visitors to the area; and

(3) the State of California and its local units of government have authority to prevent or minimize adverse uses of the Santa Monica Mountains and adjacent coastline area and can, to a great extent, protect the health, safety, and general welfare by the use of such authority.

It further states that the critical purposes which require action are:

- preservation of beaches and coastal uplands
- protection of undeveloped inland stream drainage basins
- connection of existing state and local government parks and other publicly owned lands to enhance their potential for public recreation use
- protection of existing park roads and scenic corridors, including protection of the Mulholland Scenic Parkway Corridor
- protection of public health and welfare
- development and interpretation of historic sites and recreation areas to include but not be limited to parks, picnic areas, scenic overlooks, hiking trails, bicycle trails, and equestrian trails.

In summary, the legislation states that:

"The Secretary shall manage the recreation area in a manner which will preserve and enhance its scenic, natural, and historical setting and its public health value as an airshed...while providing for the recreational and educational needs of the visiting public."

The legislation specifically directs the Secretary to acquire "lands, improvements, waters, or interests therein within the recreation area," to "utilize such statutory authority available for the conservation and management of wildlife and natural resources as appropriate," and to administer "fragile resource areas...on a low intensity basis."

It is clear that Congress intended a different approach in the Santa Monica Mountains than had traditionally been applied to National Park System areas. The philosophy of public use and enjoyment without impairing landscape values was to be applied not just by buying and managing lands, but also through the participation of state and local governments and private landowners.

The establishing legislation also recognizes that people and private property are necessarily an inherent part of the national recreation area. It sets forth a creative framework for coordination in recreation, resource management, and planning among the more than 60 jurisdictions in the mountains to protect the very natural resources for which the recreation area was established. The National Park Service is the only agency that is charged with the responsibility of concern for the natural and cultural resources of the entire mountain range.

The enabling legislation for the national recreation area authorized $125 million for acquisition of land or interests in land, plus an additional $30 million for grants to state and/or local jurisdictions for recreation development or land acquisition. The total authorization is $155 million. Approximately $42 million has been appropriated to date.

The National Park Service completed a General Management Plan in 1982 which proposed a combination of traditional approaches for managing resources and providing for recreational use and of cooperative land use management techniques for working with local jurisdictions and landowners. The following management objectives have been identified which provide a framework for fulfilling the recreation area's purpose in accordance with National Park Service Management Policies.

-- Protect and perpetuate the natural, cultural, and scenic resources, giving special attention to endangered and threatened plants and animals, significant ecological areas, and Native American Indian and historic sites.

-- Work actively to eliminate, minimize, or mitigate the impact of threats to natural and cultural resources and to improve regional air and water quality.

-- Provide a wide variety of outdoor recreation and learning opportunities that are reflective of the diversity of resources in the mountains and along the coast.

-- Ensure the opportunity for a full range of experiences to serve regional and national visitors, including the young, the elderly, the transit dependent, and people from a diversity of ethnic and social cultures.

-- Establish the facilities necessary for information/orientation, recreation, interpretation, education, and recreation area maintenance and operations; adapt existing structures or have such facilities provided by others whenever possible.

-- Provide the opportunity for people, especially urban residents and landowners in the mountains, to become aware of the unique and inherent values of the resources of the mountains and coast, and the opportunities and limitations they present for private stewardship.

-- Recognize and enhance the opportunities for creating partnerships and sharing responsibilities with state and local governments and the private sector for protecting resources and providing recreational and educational services in ways appropriate to the rules, authorities, and capabilities of the partners.

-- Participate with local jurisdictions and landowners in the mountains to create a sense of private land stewardship in the recreation area.

-- Be a good neighbor to other landowners, helping to protect their interests and rights and taking into account their individual concerns.

-- Recognize the importance of the relationship between mountain and coastal resources in all programs and activities.

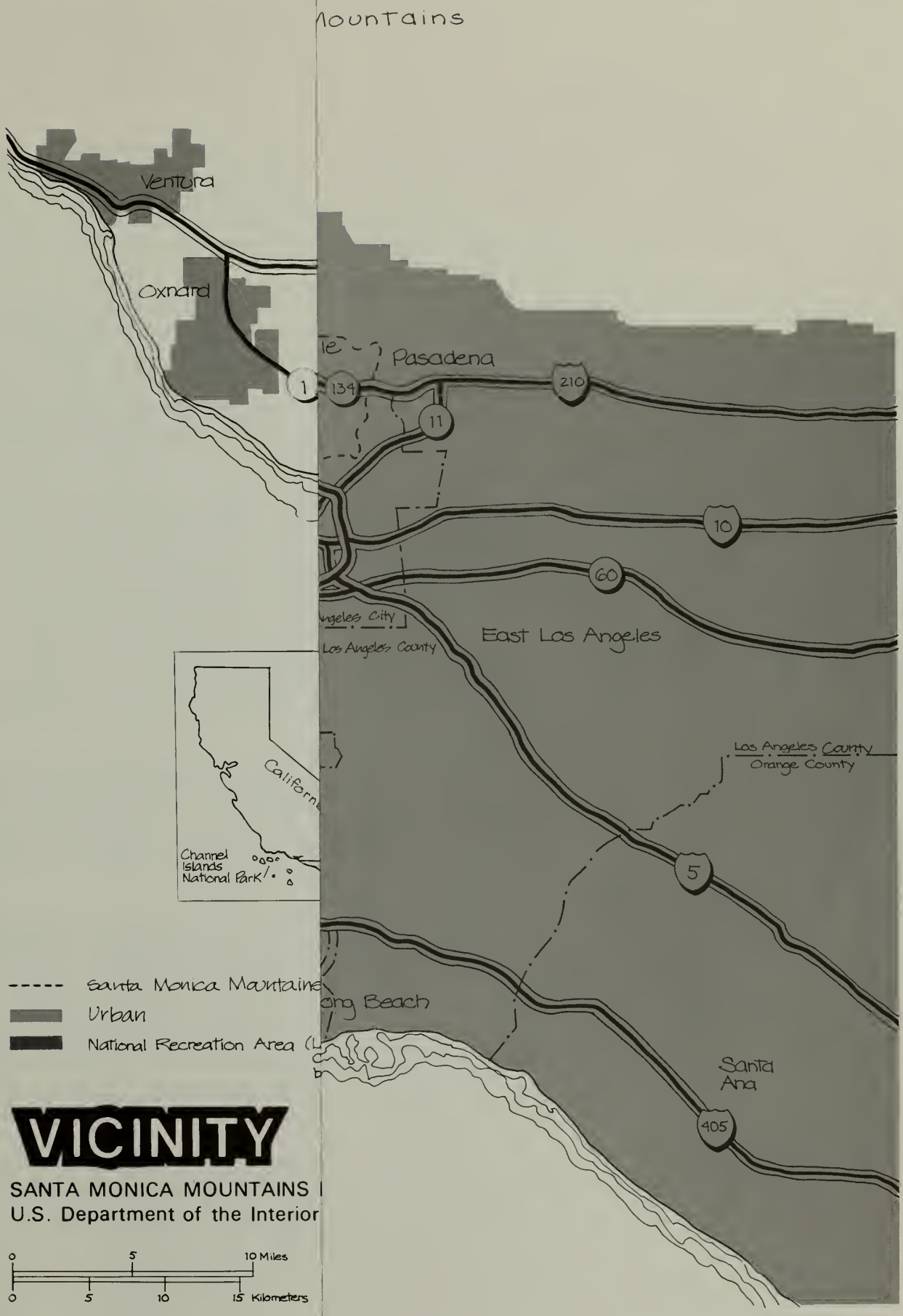
-- Work actively for the creation of efficient and varied ways to move people to, through, and around the recreation area.

B. Resource Description and Significance

Santa Monica Mountains National Recreation Area encompasses approximately 150,000 acres in the Santa Monica Mountains in southern California. The mountain range extends east-west for 47 miles from Griffith Park to Point Mugu State Park and averages seven miles across. The area is bounded by the Pacific Ocean on the south, the San Fernando Valley and Thousand Oaks on the north, the Ventura/Oxnard urban area on the west, and the Los Angeles urban complex on the east. (See Vicinity Map.)

The Santa Monica Mountains emerge as an almost island-like enclave of open space, wildlife habitat, and outdoor recreation opportunity within rapidly urbanizing southern California. The boundary of Santa Monica Mountains National Recreation Area encompasses excellent examples of Mediterranean-type ecosystems not well represented elsewhere in the National Park System, and which are limited in distribution to five narrow bands of the world's coastal areas. The natural and cultural resources of the area, together with the high potential for resource-based recreation within easy access of one of the world's major urban centers, bestow a multi-dimensional national significance on the Santa Monica Mountains.

Attributes that make the Santa Monica Mountains of national significance are abundant. There are outstanding landforms and habitats, remnant examples of geology and biology that are becoming rare, high ecological diversity, as evidenced by the presence of 10 major vegetative communities, plants and animals with unique geographical affinities, and rare plants and animals that include endangered and threatened species. Many areas within the mountains serve as refuges of natural habitat necessary to the continued survival of species such as the mountain lion. There are abundant fossil deposits, outstanding scenery, and numerous sites that are currently used by many schools and universities for teaching and research, and which are invaluable benchmarks by which to measure changes in ecosystem dynamics--something that is very important in understanding the wildland/urban interface. The recreation area is the southernmost extension of the valley oak and the only park in


Mountains
Ventura
Oxnard
Pasadena
1
134
210
11
10
60
East Los Angeles
Los Angeles City
Los Angeles County
Los Angeles County
Orange County
5
405
Santa Ana
Channel Islands National Park
Santa Monica Mountains
Urban
National Recreation Area
VICINITY
SANTA MONICA MOUNTAINS
U.S. Department of the Interior
0 5 10 Miles
0 5 10 15 Kilometers

San Gabriel Mountains

Santa Susana Mountains

Simi Valley

Ventura

Camarillo

Thousand Oaks

Oxnard

San Fernando Valley

Los Angeles County

Los Angeles City

Burbank

Glendale

Pasadena

Agoura

Westlake Village

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

Beverly Hills

Los Angeles

Santa Monica

East Los Angeles

Point Dume

PACIFIC OCEAN

SANTA MONICA BAY

Long Beach

Santa Ana

Orange County

----- Santa Monica Mountains Zone

Urban

National Recreation Area (Lands shown are not all in public ownership. Check with public park and recreation agencies before using.)

VICINITY

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA
U.S. Department of the Interior / National Park Service

0 5 10 Miles
0 5 10 15 Kilometers

North

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California that has significantly large specimens and in which research is being conducted on the problem of their lack of reproduction. Also within the boundary are one of the most dense birds of prey nesting areas in the United States, two of the few remaining lagoons on the Pacific Coast, and the southernmost spawning runs of steelhead rainbow trout on the Pacific Coast.

As a unit of the National Park System, the mountains contain portions of the nation's cultural and natural heritage that have remained largely underrepresented in any other Department of the Interior lands. More than 20 of the major themes identified in the 1972 "National Park System Plan" are contained in this one area alone.

The natural history themes are myriad. The boundary circumscribes a complete coastal mountain range that is one of the few transverse, or east-west trending, mountain ranges in North America. Aeolian processes, or the effects of winds, can be seen in a magnificent climbing sand dune along Pacific Coast Highway. The seashore contained in the recreation area's 47 miles of coastline contains a wide variety of sandy beaches of differing energy types and exposures, interspersed with rocky beaches. Nearshore rock reefs and kelp beds further heighten the coast's diversity.

As evidenced by 49 coastal drainages, the youth of the mountain range makes it one of the most erosive areas on the continent. The range is actively being uplifted by the action of plate tectonics. New theories about microplates and geological motion are being developed from a study of the Santa Monica Mountains. The geological history represented here is characteristic of active tectonic events and includes the Cretaceous to the present day, which is not well-represented in the national park system in this area of the country. Other major themes include grassland ecosystems, fire ecology, marine environments, lagoons, streams, an international migratory flyway, continental biogeographic islands, and scientific education and research.

The cultural resources of the Santa Monica Mountains are also diverse and nationally significant. The mountains are the home of the Gabrielino and Chumash Native American Indian cultures, which were two of the largest Indian groups in California. They were also among the wealthiest and most complex cultures, a direct reflection of the ecological richness of southern California.

Several major cultural themes are represented within the park: there are habitation sites that are dated prior to 5000 B.C., and sites of large villages that developed without agriculture. The Chumash and Gabrielino cultures established settlements and trade routes to the Channel Islands. They made tomols--a kind of boat--that were unique. They also had advanced astronomical knowledge, solstice sites in the area, a money economy, basketry, and left behind a fascinating legacy of rock art. Today the largest Native American Indian population representing virtually every tribe from the United States, is within easy access of the national recreation area.

The Santa Monica Mountains provide a wealth of resource-based recreational opportunities. Over 30 million people use the beaches within the national recreation area every year. By the year 2000 the greater Los Angeles area is projected to be the most populous and most dense urban area in the nation.

TABLE 2 - NATIONAL PARK SERVICE ACQUISITION ACTIVITY

Type of Action	# of Tracts	Acres
Direct purchase		
Fee acquisition	36	7,500
Conservation easement	2	17
Right-of-way easements	2	5
Donation	6	130
Exchange	1	64
Transfer		
Fee tracts	5	559
Right-of-way easement	1	6
Disposed (used for exchange purposes)	1	5

IV. NON-FEDERAL OWNERSHIPS AND USE

A. Private Ownerships and Uses

The mountainous lands within the boundaries of Santa Monica Mountains National Recreation Area include a diverse mix of public and private land uses. Several small communities and areas of residential development are found within the boundary. South of the mountains, beachfront homes line approximately one-half of the coastline, and residential and commercial centers have been developed on the coastal hillsides and at the canyon mouths at Malibu and Point Dume.

Most of the interior portions of the area are still sparsely populated with the exception of several residential areas such as Topanga, Sylvia Park, Topanga Park, Fernwood, Calabasas Highland, Monte Nido, Malibou Lake, Malibu Vista, Malibu Bowl, and El Nido, where pockets of relatively dense residential uses exist. However, new single-family developments in inland areas are becoming more common, and steeper slopes are being modified and used for custom-built and tract homes.

Just outside of the boundary, the communities surrounding the Santa Monica Mountains have been leading growth centers for the last 10 to 15 years. Residential and commercial centers to the north of the mountains--San Fernando Valley, Calabasas, Agoura Hills, Westlake, and Thousand Oaks--have experienced new tract subdivisions, apartment complexes, large planned communities, and commercial centers that have filled the valley floors and foothills. Development of these areas has in turn increased development

pressures inside of the boundary, especially along the Ventura Freeway corridor, the major east/west transportation corridor in the area. Increased development, commercial services, and support facilities for urban growth are external conditions that have a direct bearing on land protection by increasing land costs and demand for housing.

The allure of a mountain home within commuting distance to Los Angeles and the rapid population expansion in the Los Angeles/Ventura region have spurred the continuing transformation of land use within the recreation area from rural to urban. A decline in the nation's economy and high interest rates slowed this trend somewhat from 1981 through 1983, with large individual custom-built homes the most common type of new development. However, over the past several months, many new homes have been started and permit approval activity for large tracts has increased.

Approximately 40,000 people live within the national recreation area, most of these are within existing developed areas and communities within the boundaries. Communities within and adjacent to the national recreation area provide a wide variety of visitor and tourist services such as food, gasoline, supplies, gifts and hand crafts, lodging, and recreation vehicle parks. The communities also include public and private facilities such as schools, landfills, sewage treatment plants, and churches that meet the needs of area residents.

In addition, there are a large number of landowners that own land, but do not live in the mountains. It is these undeveloped lands with intact resources that are the focus of National Park Service land protection efforts. Over 80 percent of the lands within the recreation area are undeveloped. Some of the landowners of these undeveloped lands plan to build a home someday, others plan to sell their land at a profit. Several large land tracts are held by corporations, presumably for speculation. Approximately 100 landowners have indicated that they would be willing to sell their land to the National Park Service if an opportunity arises. Numerous other properties are for sale within the recreation area boundary.

Several factors and characteristics of the land relate directly to existing uses and the development potential of the private lands within the recreation area. While the area exhibits a variety of physical features, much of the terrain is rugged and steep. Nearly 80 percent of the slopes are in excess of 25 percent gradient, and one-half of the lands have slopes of 50 percent or greater.

The mountains are subject to seismic and geologic hazards, slope instability, and flood hazard. Much of the area has a high potential for future stability problems, especially under conditions favorable for movement (such as seismically induced ground shaking, heavy rainfall, or man-made alterations). During rainy periods, highly erodable clay soils become saturated and slide down steep slopes. Steep topography, increases in impervious surfaces, and exposed soils (through development or fires) can result in increased runoff levels during storms and higher floodplain levels which in turn pose a serious threat to life, property, and natural resources. Winter and spring storms frequently result in road closures, structure slippage and damage, and utility and infrastructure damage that can cost millions of dollars to repair.

Environmental conditions (Santa Ana winds, seasonal weather patterns, and steep slopes) and combustible natural vegetative types found in the Santa Monica Mountains make the area particularly susceptible to major wildfires. Most of the mountains are classified as critical fire hazard areas, with the interior portions rated as extremely hazardous. Since 1960, thirteen fires of 100 acres or more have occurred within the Santa Monica Mountains. The largest fire burned 42,000 acres in 1982. Over time, more fuel accumulation, more structures, and more people using and living in the mountains have resulted in larger fires and higher property losses. Only a few isolated locations have managed to escape a major fire.

Damages sustained from all of these natural hazards are compounded as additional lands are developed and urbanized.

B. Socio-Cultural Resources

The history of the lands within the Santa Monica Mountains is colorful and varied. The mountains were once the province of the Chumash and Gabrielino Indian cultures. The area is rich in resources ranging from village sites and burial grounds to rock art sites. In the 1830's, Native American Indians were moved to Spanish missions and the land was divided into large ranchos. These ranchos left a legacy of pastoral land use and self-sufficiency on large open space acreages.

The area was recognized during the late 1880's as a resort mecca because of the serenity and isolation of the mountains. Recreation and sport clubs, non-profit organizations, and churches have all built mountain retreats. Large estates of an affluent society began to appear throughout the region in the 1920's and 1930's and continue to be built today. As the motion picture industry brought fame to Southern California, "stars" moved into Santa Monica, Pacific Palisades, and Malibu forming the nucleus of luxurious movie colonies. Many famous people continue to live within the mountains and along the coast, and the mountains are frequently used for filming.

Some of the mountain slopes, canyons, and valleys have been, and in some cases continue to be, ideal places for ranching operations, equestrian oriented communities, experiments in communal living and self-sufficiency, and artistic retreats. Pockets of grazing and tillable land for growing fruits, agricultural produce, and livestock have resulted in a rural landscapes in portions of the mountains.

Each canyon within the Santa Monica Mountains has a different cultural characteristic which has resulted in many small cohesive communities. These canyon communities have developed through many years of residents sharing common experiences. Individual families have become self-sufficient by living in a rural area and by joining together with their neighbors to fight fires, floods, and mud slides. The cultural character of these canyon communities is threatened by the potential of large-scale development which would urbanize the mountains and detract from the rural lifestyle of many residents.

C. Existing and Potential Compatible and Incompatible Land Uses

Appropriate and compatible land uses within Santa Monica Mountains National Recreation Area vary in relationship to existing land use, development patterns, recreation uses, and significant resource protection needs.

Land uses which modify large resource areas, intrude significantly on critical habitat or wildlife corridor areas, endanger significant ecological areas, eliminate or heavily impact the few remaining activity sites for serving visitors, dramatically alter the character of the Mulholland Scenic Parkway Corridor (which is specifically identified in the establishing legislation), or block trail corridors shown in the General Management Plan are incompatible with the purposes of the national recreation area.

While some uses are clearly incompatible with the purposes of the recreation area, others are complementary. It is an important precept of the area that private uses continue to be an integral part of the recreation area. Many private landowners have contributed positively to the recreation area and its character by exercising private stewardship in management of their land and by enhancing the rural flavor of the mountains through compatible development.

The compatibility of uses varies and is dependent upon the biological and physical characteristics of the land, the amount and nature of development that has already occurred, and National Park Service goals in a given area. In community areas that are already developed and committed to residential uses, compatible uses include infilling at density allowed by local and state jurisdictions, commercial services, trail access points, and support services for recreation. In undeveloped areas with important resources, compatible uses include hiking, primitive camping, nature study, interpretive programs, horseback riding, research, existing residential use, and low density residential development that maintains the significant natural and cultural values. Where protection of scenic features and landscapes are an important goal, compatible uses include farming, ranching, grazing, and wide variety of recreational uses.

In many cases, agricultural pursuits are compatible except where intact natural and cultural resources remain that are sensitive to human activity. Such uses must not cause serious environmental impacts, such as excessive siltation or water pollution, and must comply with all necessary permitting requirements by state and local jurisdictions. Single family residences are compatible in some areas assuming they are thoughtfully located, create minimal environmental disruption, do not block trail routes, and are visually compatible with the adjacent scene.

Private development proposals which are in excess of the Santa Monica Mountains Comprehensive Plan are not viewed as compatible with the purposes of the recreation area.

Compatibility of development proposals, especially minimum density single family residences can often be increased through incorporation of measures

which will result in increased opportunity for wildlife habitat; placement of structures and fences in patterns which provide for continuous, unbroken wildlife and/or trail corridors; or measures which decrease the visual intrusion of new development through careful selection of construction materials, plantings, location on the property, contour grading, and complete mitigation of increased runoff.

In addition, this plan identifies properties that are considered to be compatible private recreation use areas, totaling 5,550 acres. Compatible private recreation areas and preserves include group picnic areas, campgrounds, camps of religious institutions, conference grounds, horse boarding areas, Salvation Army and Boy Scout camps, and Mountains Restoration Trust holdings. Others will be added as they are identified and new campatible private recreation activities are begun. For example, should a private campground, outdoor recreation center, or picnic area be opened to the the public, it would be changed to this category. Such private recreation developments are encouraged.

D. Laws, Authorities, and External Conditions that Directly Bear on Land Protection

Many federal, state, and local laws and authorities can potentially provide some resource protection. In addition, several agencies are responsible, either through mandates to manage lands or control land use, for activities within the Santa Monica Mountains that will have a direct bearing on future land protection efforts. Each law and/or authority is briefly described, followed by a discussion of the effect or past use of the authority by the governmental jurisdiction or agency that is responsible.

1. Federal Laws

Federal laws, for the most part, only regulate actions on federally owned and managed lands and have limited authority to protect resources on privately owned lands; therefore only federal laws which have some potential to influence local land uses are described.

a. Clear Air Act (as amended, August 7, 1977)

The amendments of 1977 granted the National Park Service substantial authority and responsibility to protect the airsheds and air quality related values of park system areas. National recreation areas were designated as Class II areas, or areas where a moderate incremental deterioration of air quality is allowed which cannot exceed any of the National Ambient Quality Standards.

While the establishing legislation refers to the values of the Santa Monica Mountains as an airshed, this law has not been applied in a way that could affect local land use decisions. The act appears to have greatest affect in requiring compliance of point sources (factories, power plants) and not in regulating development which may threaten Santa Monica Mountains resources.

b. National Parks and Recreation Act of 1978

Section 507 of this act established Santa Monica Mountains National Recreation Area as a unit of the National Park System. Two provisions in the act have the potential to reduce impacts of development and encourage resource protection without federal acquisition. (1) A grant program to state and local government bodies was established to acquire lands and develop public facilities. The program was to act as an incentive to encourage land uses that are compatible with recreation area objectives, since only jurisdictions whose actions are consistent with the Santa Monica Mountains Comprehensive Plan (approved by the Secretary of the Interior) are eligible for grant funds. (2) The Secretary must be given an opportunity to comment on any proposed federal or federally assisted undertaking in the lands and waters within the Santa Monica Mountains Zone.

The first of these provisions has not been effective since all acquisition funds appropriated thus far have been used by the National Park Service to acquire priority areas. The recreation area does comment on federally assisted undertakings that could affect recreation area resources. There have been very few such projects.

c. Department of Transportation Act

Section 4 (f) of this act places severe restrictions on use of publicly owned parklands for federally supported highways and other projects requiring Department of Transportation approval. If a road project is planned that will affect parklands, the Secretary of Transportation must show that there is no feasible and prudent alternative to the project.

The act may apply in the future if local jurisdictions undertake any road system expansion which requires Department of Transportation funds, or which impacts federal parklands.

d. Coastal Zone Management Act of 1972

This act directed coastal states to develop management plans for the lands and waters within the coastal zone in order "to preserve, protect, develop, and where possible, to restore or enhance the resources of the nations's coastal zone." About one-half of the lands within the recreation area are in the coastal zone. The State of California and local jurisdictions have developed or are developing special plans and regulations for this area (see California Coastal Act under section on state laws).

e. Historic Preservation Act of 1966

Section 106 of this act directs a federal agency initiating a project that might affect a property on the National Register of Historic Places to allow the Advisory Council on Historic Preservation opportunity to comment. Executive Order 11593 enlarged that role by requiring that the Council also be allowed to comment

on undertakings affecting properties that are eligible for nomination to the National Register. Because most projects that could affect important historical and archeological resources in the Santa Monica Mountains take place on privately owned lands and are not federal actions, this act does not provide protection for most significant cultural resources in the mountains.

2. State and Local Laws, Regulations, and Areas of Jurisdiction

a. California Coastal Act of 1976

This act provides for the implementation of coastal policies through state regulation and through preparation, adoption, and certification of local coastal programs in each city and county within the coastal zone. The coastal zone extends as much as five miles inland in the Santa Monica Mountains. The land use plan portion of the local coastal program for Ventura County is complete and provides protective ordinances that will offer protection to significant resource areas. Because the plan is certified by the California Coastal Commission, Ventura County has the authority to regulate land use in conformance with the plan. The local coastal plan for Los Angeles County has not been approved at the time of this writing. The draft plan for Los Angeles County was rejected by the Coastal Commission. Final permitting authority for development within the coastal zone of Los Angeles County remains the responsibility of the California Coastal Commission until the local plan is approved.

The provisions of the California Coastal Act and local coastal plans have the potential to provide resource protection through regulation of future land use for a large portion of the recreation area. The Coastal Commission has been a strong proponent of policies which protect valuable resources and retain open space, provide coastal access, protect significant ecological areas, and protect trails through the permitting process.

b. California Planning Law and Requirements

The California constitution delegates land use planning, zoning, subdivision regulation, and building regulation to cities and counties. State law shapes the local implementation of these powers by requiring that each city and county prepare a document which represents their decisions concerning the future of the community known as the general plan. Zoning, subdivision approvals, and specific plans must, in turn, be consistent with the general plan. The legislature also specified the contents of the general plan which must include the following elements--land use, circulation, housing, conservation, open space, seismic safety, noise, scenic highway, and safety.

Local jurisdictions within the recreation area have prepared general plans that meet the requirements of state law. The activities of each jurisdiction of major concern in relationship with planning requirements follow (see Jurisdictions map).

1) Los Angeles County

The Los Angeles County General Plan was approved in 1980 and is very supportive of the purposes of the Santa Monica Mountains National Recreation Area, especially in terms of resource protection and recognition of trails programs. However, subsequent implementing plans have altered the policies of the county, with increased land use densities, dilution of support for trails, lessening of environmentally related restrictions, and resultant increases in population projections. Open space and trail corridor dedication requirements as a part of the development permitting process are disappearing.

2) Ventura County

All Ventura County plans provide strong support for the purposes of the national recreation area including open space densities ranging from one dwelling unit per 10 to 40 acres with further restrictions depending upon slope in the the most rugged areas of the mountains. Other recent actions by Ventura County which provide for protection of valuable landscapes include:

- recent enactment of a scenic protection ordinance around lakes throughout the county,

- continued concern by the Board of Supervisors that Ventura County's valuable agriculture lands not be developed, and

- the creation of a Santa Monica Mountains overlay zone that applies to that part of Ventura County that is within both the Santa Monica Mountains and the Coastal Zone.

3) City of Los Angeles

The city has provided for protection of the undeveloped portion of the mountains within the recreation area by generally confining development to less sensitive portions of properties and requiring open space dedications as a part of the development permitting process. A large portion of the undeveloped portion of the Mulholland Scenic Parkway Corridor within the city has been protected in this manner over the past several years. The city is now in the process of creating a specific plan and ordinance for retaining and enhancing the recreation values of their part of Mulholland Drive.

4) Other Local Jurisdictions

Other jurisdictions do not have a major role in the recreation area, but range from strongly supportive to relatively non-committed in their approach. The City of Thousand Oaks is especially supportive, and is experimenting with subdivision design which incorporates wildlife corridors. The new cities of Westlake Village and Agoura Hills are in the process of completing general plans and appear to be willing to help protect significant resources and recreational opportunities within their jurisdictions.

c. California Environmental Quality Act

If any aspect either individually or cumulatively of a proposed project may significantly affect the environment, an Environmental Impact Report (EIR) must be prepared and reviewed by the public.

Most major developments and proposed land use changes are documented in a draft EIR which is available for review by the recreation area staff. The National Park Service often comments on the adequacy of the impact analysis and the effects of the project on federal lands and important resources for consideration by the local jurisdictions in their decision making process.

d. Williamson Act

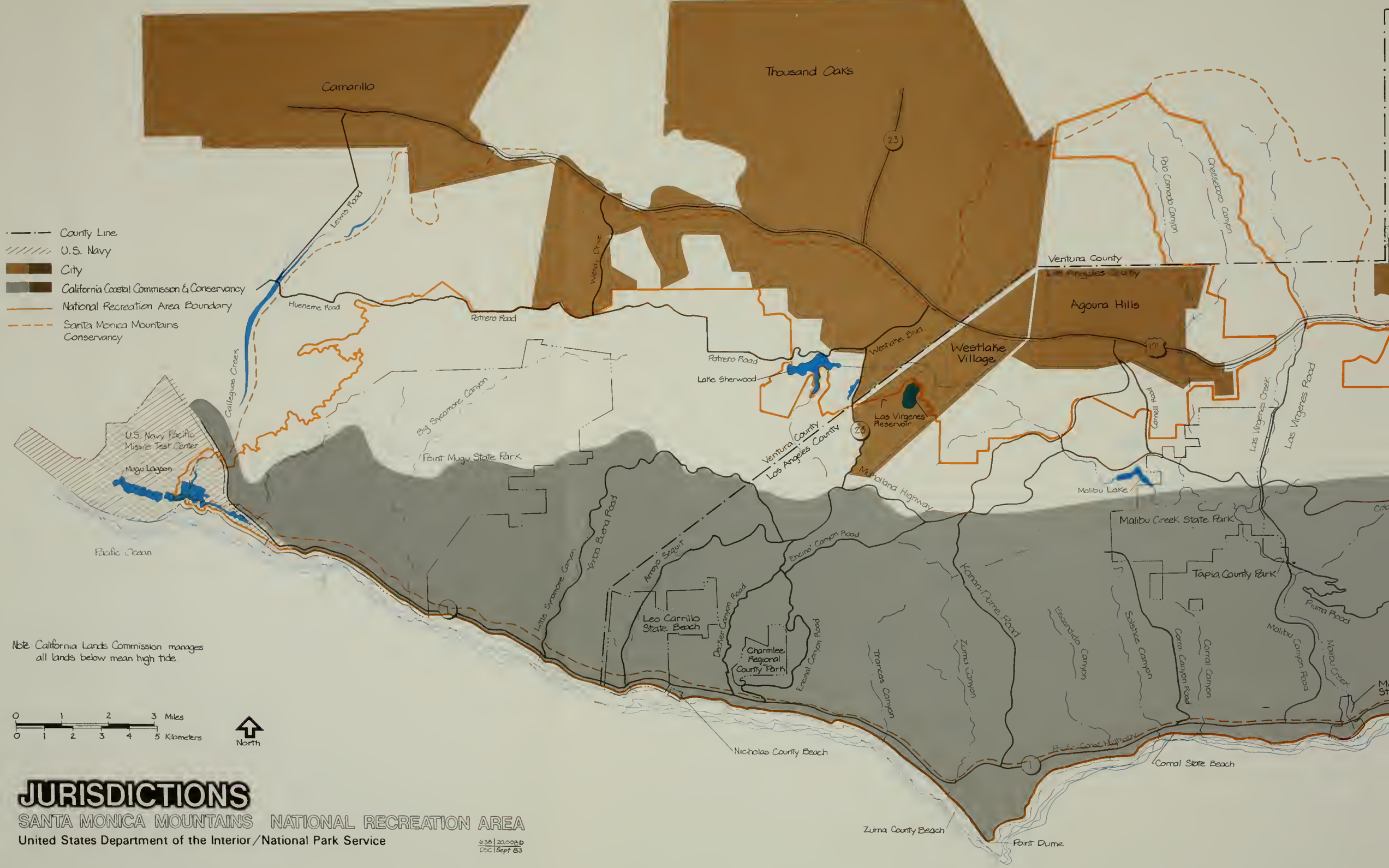
This act creates contractual agricultural preserves to protect agricultural and other open space lands. Preferential tax assessment is given in exchange for release of development rights for the period of the contract. Participation in the program by landowners is voluntary.

Agricultural land is consistent with the purposes of the recreation area. However, the act is utilized in only a very small portion of land within the recreation area boundary, and currently only within Ventura County.

e. California Fish and Game Regulations

Plans that will change natural stream flow or alter a water body that contains fish and wildlife resources are reviewed by the California Department of Fish and Game. The department then proposes modifications that will allow protection and continuance of fish and wildlife resources.

Development plans are subject to this review which partially mitigates the impacts of development on wildlife resources and water courses.



JURISDICTIONS

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

United States Department of the Interior / National Park Service

638 | 20008D
DSC | Sept 83

Los Angeles

Burbank

Glendale

Hidden Hills

Ventura Freeway

Existing Santa Monica Mountains National Recreation Area Headquarters and Information Center

Los Angeles City

Los Angeles County

Topanga Canyon Blvd

Topanga Canyon

Old Topanga Canyon Road

Pacific Coast Highway

Topanga State Park

Encino Reservoir

Mulholland Drive

Laurel Canyon Drive

Universal City

Griffith Park

Hollywood Reservoir

Silver Lake

Sunset Blvd

Beverly Glen Drive

San Diego Freeway

Stone Canyon Reservoir

Franklin Canyon Reservoir

Will Rogers State Historic Park

Beverly Hills

Los Angeles

Malibu Lagoon State Beach

Pacific Coast Highway

Las Flores Canyon

Tuna Canyon

Las Tunas State Beach

Topanga State Beach

Will Rogers State Beach

Santa Monica

Santa Monica Freeway

Culver City

Santa Monica State Beach

405

101

170

27

10

134

f. Santa Monica Mountains Conservancy Act

The Santa Monica Mountains Conservancy was created in 1979 to complement the zoning power of local governments and the acquisition of lands by the federal government within the Santa Monica Mountains Zone. The Santa Monica Mountains Conservancy relies on the Santa Monica Mountains Comprehensive Plan, a plan that is compatible with the goals of the recreation area, to determine what lands to acquire. The Santa Monica Mountains Conservancy also makes determinations of consistency of local government actions with the comprehensive plan in determining their eligibility for National Park Service or conservancy managed grant programs. The primary responsibility of the agency is to acquire land and turn it over to appropriate management agencies; the Santa Monica Mountains Conservancy is not a park management agency.

In 1983 the zone was enlarged to include a trail corridor connecting Griffith Park, Elysian Park, and El Pueblo State Historic Park in downtown Los Angeles. The Mountains Conservancy's zone was also extended to include the Rim of the Valley Trail which will connect the Santa Monica Mountains with the Simi Hills, the Santa Susana Mountains, the San Gabriel Mountains, the Verdugo Mountains, the San Rafael Mountains, which in turn connect with Griffith Park. These extensions and eventual development for park purposes will enhance the national recreation area and provide greater opportunities for accessibility to the mountain area.

The Santa Monica Mountains Conservancy has acquired several key park and recreation parcels in the mountains, has developed a series of scenic overlooks along the Mulholland Sceninc Corridor, and has been very supportive of the purposes of the national recreation area. The agency has a broad set of authorities which can be effectively used for land protection purposes in support of the national recreation area.

g. State of California Department of Parks and Recreation

The State of California has protected over 30,000 acres in four major parks and several beaches in the Santa Monica Mountains. The State has also acquired the eastern half of the Backbone Trail corridor, linking Topanga State Park to Malibu Creek State Park and Malibu Canyon linking Malibu Lagoon and Malibu Creek State Park. Since establishment of the recreation area, the Department of Parks and Recreation has continued to acquire lands in the Santa Monica Mountains to round out the state parks.

h. Mountains Restoration Trust

The Mountains Restoration Trust was established through the efforts of the Coastal Conservancy and is a private non-profit organization of local citizens interested in land conservation. The trust has produced effective results on one small lot subdivision reconsolidation project and on trail protection and conservation projects, and will likely remain an effective land protection organization in the mountains. It places strong emphasis on utilization of the Coastal Commission's transfer of development credits program.

3. Overall Trends

There are increasing pressures for development, especially residential development, in the Santa Monica Mountains. The bulk of this pressure is in Los Angeles County. There are also strong and well organized homeowner groups in the mountains strenuously opposing measures to increase permissible levels of development. The history of the mountains over the past several years has been one of pulling and tugging between the positions represented by these two general pressures, to the point of using the courts as adjudicators through lawsuits. This level of activity is expected to continue.

Even when a local government has a plan or zoning ordinance in place that protects recreation area resources, changes in political support or economic conditions can quickly change resource protection objectives. Therefore, regulatory techniques will be the most useful in protecting lands and scenic values located adjacent to areas which possess the highest resource and recreation potential. Areas with the greatest value for resource preservation and public recreation will require public ownership in order to meet the intent of the legislation which established the recreation area.

V. PROTECTION ALTERNATIVES

Many alternatives were considered in preparing this plan in order to determine the most cost effective methods of providing for long term protection of significant resources and for visitor enjoyment. The following discussion describes the alternative methods that can be used to carry out the purposes of the recreation area, explains how each alternative could be applied, and analyzes the effectiveness of each alternative. Recommendations for use of these alternatives and their impacts are presented in subsequent sections.

The act establishing the national recreation area authorized the Secretary to acquire land in fee or interests in land by use of scenic easements. Other acts authorize use of other kinds of easement, buy and sell back or lease back arrangements, donations, land exchanges, and other land protection methods. The recreation area act also states that acquisition "may be by donation, purchase with donated or appropriated funds, transfer from any federal agency, exchange, or otherwise." It further states that "Any lands or interests therein owned by the State of California or any political subdivision thereof (including any park district or other public entity) may be acquired only by

donation, except that such lands acquired after the date of enactment of this section by the State of California or its political subdivisions may be acquired by purchase or exchange if the Secretary determines that the lands were acquired for purposes which further the national interest in protecting the area and that the purchase price or value on exchange does not exceed fair market value on the date that the State acquired the land or interest." A great variety of alternatives are discussed because of the variety of conditions which exist in the mountains, the variable levels of resource protection needed to implement the intent of Congress, and the commitment to protection of private property rights in the mountains.

A. Protection of Land by Means Other than Acquisition by National Park Service

The following protection methods would not require acquisition by the federal government. In most cases, the National Park Service would cooperate with other agencies, organizations, and landowners to achieve resource protection goals. These methods could be used alone in some areas or in combination with acquisition. They would also be valuable to provide interim protection of land if funds are delayed or are not available to acquire lands in fee or easement.

1. Cooperative Agreements

Agreements between the National Park Service and other agencies or organizations have been developed to protect important natural resources and provide recreational use. Santa Monica Mountains National Recreation Area has negotiated an agreement with the U. S. Navy pertaining to that portion of the recreation area within the Point Mugu Naval Air Station and Pacific Missile Test Center. (A copy of this agreement is included in Appendix B). In addition, the Navy has a further agreement with the U.S. Fish and Wildlife Service concerning protection of the resources of the Mugu Lagoon. These two instruments constitute excellent protection of the affected resources.

The national recreation area has a cooperative agreement with the Topanga-Las Virgenes Resource Conservation District to protect soils and watershed values. The recreation area is also in the process of negotiating an agreement with the Los Angeles County Sanitation Districts to allow for trail use of sanitation district land.

Cooperative agreements with other agencies could include the City of Los Angeles, Departments of Water and Power, and Recreation and Parks; the County of Los Angeles, Departments of Beaches and Harbors, and Parks and Recreation; the State of California, Department of Parks and Recreation; and several independent park and recreation districts. However, because of the similarity in purpose of these agencies to that of the national recreation area, there seems to be little need for written agreements. The Mountains Restoration Trust (whose purpose is to protect resource values in the mountains), and private camp operators are also possible candidates for cooperative agreements.

2. Federal Land Use Regulation

There is no direct authorization in existing legislation for use of federal regulations on non-federal land to achieve the objectives of the recreation area. Considering the current range of agencies regulating land use in the mountains, it does not seem advisable for the National Park Service to become involved as a regulatory agency. The National Park Service will report violations of land use and environmental protection laws and ordinances if they occur within the recreation area.

The National Park Service does have an advisory role in encouraging consistency of other federal actions within the national recreation area. The establishing legislation states that any federal agency having direct or indirect jurisdiction over a proposed federal or federally assisted undertaking, including permits, and licenses, shall provide the Secretary of the Interior (or his National Park Service designee) an opportunity to comment with regard to such undertakings and shall give due consideration to any comments made. Potential federal assistance upon which the Secretary may comment could include disaster assistance to local agencies and homeowners, expansion of waste treatment systems, and utility and road improvements. Agencies proposing such actions have a responsibility to give the National Park Service an opportunity to comment.

3. State and Local Land Use Regulation

The reliance on zoning and other local police powers is an important aspect of the Land Protection Plan for the national recreation area. The degree of reliance on state and local land use permitting authorities varies in relationship to the goals of that authority and the degree to which it shares common land use goals with the recreation area.

A wide variety of applicable land use policies are available within the recreation area. Ventura County and the City of Thousand Oaks are leaders in local government implementation of policies which reduce the need for federal expenditure, while providing for economic growth and a sustained quality of life. Ventura County has zoned the mountains as open space (1 unit on 10 to 40 acres), and has placed further restrictions based on specific environmental conditions such as slopes over 30 percent, scenic areas surrounding lakes, mapped environmentally sensitive habitat areas, and support of the Williamson Act. Ventura County has adopted a Local Coastal Plan which embodies goals compatible with the national recreation area. The City of Thousand Oaks has strong ridgetop protection requirements, is pioneering the incorporation of wildlife corridor requirements into subdivision design, and works closely with the strong Conejo Park and Recreation District and an active historical society to maintain environmental, recreational, and cultural amenities within the city and its sphere of influence.

The County of Los Angeles has strong policies embracing the concepts of the national recreation area in its General Plan, but since adoption of the plan over three years ago, has inclined to back away from that commitment. This movement is reflected through spot up-zoning in the mountains, attempts to reduce the size of significant ecological areas, a reduction in protection offered in hillside management areas, and increased development along Mulholland Scenic Parkway Corridor with little apparent concern for visual quality. Los Angeles County submitted a draft Local Coastal Plan to the California Coastal Commission in 1983, which was rejected unanimously in large part because important environmental and recreation values were not adequately addressed.

Land use issues within the jurisdiction of the City of Los Angeles in the national recreation area are largely settled, and areas have either been developed, permitted for development, or set aside as open space. Perhaps most important is the city's continuing commitment to the protection of the Mulholland Scenic Parkway Corridor, which is much stronger than that of the County of Los Angeles.

The California Coastal Commission continues to be a strong advocate of protection of environmental values and provision for recreation.

Two new cities adjacent to the recreation area, Agoura Hills and Westlake Village, are now in the process of enumerating their open space related policies, which appear to be protective of important resource values.

The extent to which local zoning powers are relied upon within the national recreation area must be carefully evaluated. Where irretrievable loss of significant resource values could occur, protection of resources cannot rely on zoning. In areas where development already exists and additional private development is consistent with resource protection, zoning powers will be heavily relied upon to help achieve the purposes of the national recreation area.

Regulatory authority will be most useful in protecting lands and associated scenic values located near areas identified as having a high resource and recreation potential. Regulations for controlling land use already exist at local or state levels. Total reliance on regulatory control is not a sufficient method to meet the objectives of the establishing legislation. However, in combination with other protective methods, it is an excellent tool.

4. Private Stewardship and Cooperative Planning

There are many areas within the recreation area where private development and use, if carried out sensitively and with recognition of the broad land use implications of the legislation establishing the national recreation area, can be a positive addition to the recreation area. The National Park Service does not intend to acquire land in these areas, but will work actively with property owners and State and local agencies in

reviewing plans for any proposed future uses, developments, and designs in order to complement management of the national recreation area and enhance the scenic, natural and cultural qualities of the mountains.

The concept of cooperative planning is based on the idea that full knowledge of individual and common needs and a cooperative approach to recognizing them can substantially reduce federal acquisition and control. Realization of this idea will require that agencies and individuals exchange information and work together to achieve solutions. Following are the goals of cooperative planning in the recreation area:

- Cooperate with all concerned parties to retain a mix of recreational open space, residential, and commercial uses in the Santa Monica Mountains; emphasize retention of the rural and individual community character as viewed from major roads and trails.

- Encourage land use practices that are sensitive to environmental factors (such as flooding, slides, erosion, and fire) that minimize landscape alteration and that ensure long-term retention of natural systems.

- Avoid duplication of functions, facilities, and programs provided by other agencies or private enterprise.

- Establish and achieve common goals, using the expertise, knowledge, ability and regulatory authority of all agencies with jurisdiction in the area and of concerned individuals and groups.

- Protect the interests and rights of residents within and adjacent to park lands and take into account the concerns of individual land owners.

- Encourage development that enhances recreation and outdoor education opportunities in the mountains and promotes the general health and welfare of the people.

- Encourage a land use ethic whereby private citizens and local regulatory agencies cooperate to achieve recreation and resource protection goals without resorting to excessive governmental purchase.

- Encourage energy efficiency in private mountain uses.

- Encourage practices which promote the long-term retention of wildlife corridors, feeding and breeding areas for native animals, native plant life, and historical and archeological resources.

Some examples of cooperative planning might include working with property owners to:

- Encourage development which enhances recreation opportunity, such as providing equestrian uses or camping opportunities.

- Recommend design considerations to owners to reduce visual impact of their proposed development such as setbacks from roads, vegetation buffers, contour grading, and compatible styles of architecture.

- Work with owners to recommend native plant material mixes that would enhance native wildlife habitat.

- Work together with owners and regulatory agencies to ensure that the needs of all parties are satisfied in a positive manner.

The possible examples are nearly as varied as the individual parcels of land in the mountains. The overall concept is, however, for the National Park Service to work actively with landowners to protect and provide for enjoyment of the Santa Monica Mountains, and also to provide protection for the private rights of the individual landowner.

The National Park Service is very interested in obtaining the participation of property owners in discussions concerning management and land protection decisions that may affect property rights and privacy of residents. It is through open communication of the affects of government actions that the needs of residents can be fully understood, and in many cases accommodated.

5. Lot Reconsolidation

There are several areas within the mountains but outside of developed areas where national recreation area objectives could be achieved if the existing substandard lots could be replaced by one or more larger lots with easements or restrictions attached to them. The National Park Service proposes to work with the Mountains Restoration Trust, the Santa Monica Mountains Conservancy, or any other agency to reconsolidate lots in these areas in order to create opportunities for compatible private uses. Possible areas for lot consolidation include Upper Tuna Canyon, Little Las Flores Canyon, Castro Peak, and Saddle Peak Areas.

6. Transfer of Development Rights

The National Recreation Area strongly supports the existing transfer of development credits program of the California Coastal Commission. It also supports any local jurisdictional ordinances or other actions which would increase the effectiveness or simplify the use of the transfer of development rights programs without reducing the benefits of the program.

7. Adopt-a-Trail Program

The National Park Service, the State of California, Department of Parks and Recreation, the Mountains Restoration Trust, and the Sierra Club have created an Adopt-a-Trail program to encourage construction and maintenance of trails by volunteer trail crews. This program could be expanded to include provision of trails through private property, guaranteed by cooperative or license agreement, easement dedication, or other means, and maintained as a part of the Adopt-a-Trail program.

8. Trail Dedication Program

The California Coastal Commission requires dedication of trail easements when certain land use actions occur on properties that include a segment of a major proposed trail. The National Park Service encourages other jurisdictions to enact ordinances requiring such trail dedications if they do not have them, and to retain them where they do. The Service will accept trail dedications that are required by permitting agencies that are also identified in the General Management Plan.

9. Compatible Private Recreation

Private enterprise and nonprofit organizations provide recreation and environmental education facilities in many areas of the mountains that are compatible with the purposes of the national recreation area. Examples are private recreation camps, scout camps, the Mountains Restoration Trust, and riding clubs. These landowners will be encouraged to continue to provide for recreational and educational activities, and the National Park Service will cooperate with them to further such uses. If the uses of these lands change to incompatible uses, the National Park Service will consider their purchase.

10. Williamson Act

The Williamson Act in California allows a landowner to contract with a governmental entity to place land in preserve for agriculture, open space, wildlife, scenic easements, or recreation for a period of 10 years. In return for maintaining such land uses, the owner realizes substantial tax benefits, while the state helps to make up the loss of tax revenue to the local jurisdiction. There can be public access to properties under contract without liability to the landowner. There is potential for expansion of this program under the guidance of several local and state agencies.

11. Habitat Trade-Off

In 1979, the California Coastal Commission developed a trade-off policy whereby for every acre of wetland that is used for a coastal-dependent development, four additional acres would have to be obtained for preservation or public use. While this policy has not yet been applied in the Santa Monica Mountains, there are many unique habitats where a trade-off policy could be applied. For example, a developer might be required to dedicate proportional acreages in significant ecological areas for each acre developed in the Santa Monica Mountains. Such a progam would have to be linked to permitting authorities of state and local agencies.

12. Recognition Programs

While voluntary in nature only, many landowners may be encouraged to preserve significant features through a certificate program from an agency. Programs in existence include the Natural Landmarks Program, the Backyard Habitat Program of the National Wildlife Federation, and the Oak Tree Program of the Topanga-Las Virgenes Resource Conservation District.

13. Protection of Public Lands by Agencies Other Than the National Park Service

Existing public lands within the boundary will continue to be managed by city, county, state, and other federal agencies for a variety of uses, including recreation. The National Park Service will not acquire an interest in these lands, unless they are donated or purchased through reimbursement to an agency who has acquired the land for inclusion in the recreation area. The Service will work closely with the concerned agencies to ensure compatible uses and coordinated planning of all park lands within the boundary. (See Table 1 for a listing of these lands.)

Several parcels of public land are held by agencies with the responsibility of providing for water, power, and sanitation needs of the community. If, at any time in the future, these public lands are no longer needed by their managing agencies, the National Park Service would consider assuming ownership through donation or exchange. Alternatively, agreements for limited public uses that are compatible with the purposes of the managing agencies will be sought to expand public use potential without acquiring additional land.

The State of California has identified several parcels that are to be acquired for open space, trails, and public park purposes and an active land protection program is expected to continue. The National Park Service encourages the state to complete these acquisitions and will cooperate in state acquisition programs and subsequent management efforts.

The State of California is generally involved in purchases that are outside of areas that the National Park Service has identified for fee acquisition. The Department of Parks and Recreation continues to acquire lands that build upon the major state parks and beaches within the mountains by protecting adjoining scenic and watershed buffers. They have also been active in protecting the eastern section of the Backbone Trail from Topanga State Park to Malibu Creek State Park, Stunt Ranch, and other key parcels in the mountains totaling 31,756 acres of fee and 148 acres of easement. The Santa Monica Mountains Conservancy has acquired 528 acres of land and has been identifying additional land protection goals each year in their annual work program that are consistant with the Santa Monica Mountains Comprehensive Plan. The protection efforts of the state augment and complement the efforts of the National Park Service and are usually focused on areas adjacent to state parks, areas that connect existing state lands, or areas that provide for significant public enjoyment of the mountains.

Local agencies will have some involvement in land protection activities through acquisition of public lands. Los Angeles and Ventura counties have not made any recent attempts to protect lands within the boundary through purchase of parklands, however dedications of parklands and trail corridors are potential additions and will be encouraged by the National Park Service. The City of Los Angeles has recently required dedication of parklands within the mountains as conditions of development. The Conejo Recreation and Park District is working on a cooperative project with the Santa Monica Mountains Conservancy to acquire additional open space at Lake Sherwood. The Rancho Simi Recreation and Park District is also working on a project with the Santa Moncia Mountains Conservancy to protect China Flat.

B. Protection of Lands through Acquisition

1. Fee Acquisition

In fee acquisition, all rights of interest in the land, including the right to control the primary use of the surface, are transferred to the National Park Service. Mineral rights are included unless they are owned by a third party.

Fee acquisition may be recommended when other methods of protection have been found to be inadequate, inefficient, or ineffective to meet management needs.

Fee acquisition will be used in those situations where the National Park Service must own the land outright in order to achieve the purposes of the legislation establishing the national recreation area. At Santa Monica Mountains, fee acquisition is reserved for those areas where 1) the General Management Plan calls for a signficant visitor use facility to be managed by the National Park Service, or by the National Park Service in cooperation with others (such as a concessioner); 2) critical natural resource values cannot be adequately protected by other means; 3) critical scenic or cultural

resources cannot be protected in other ways; 4) important trail connections are necessary to provide for visitor enjoyment; 5) intense National Park Service management is required to preserve historic and archeological resources, eliminate exotic species, or conduct other activities which substantially conflict with private use; and 6) other alternative methods to protect important parkland values would not be cost-effective.

2. Easement Acquisition

This category of land protection has a high degree of applicability in the national recreation area. An easement is a legal agreement between a property owner and the National Park Service. Easements are a method for ensuring that the rural character and ambiance of the mountains are preserved while private uses of land continue. There are two general types of easements:

a. Conservation Easements. Those which restrict an owner's use of his land but do not allow public access. Usually called scenic or conservation easements, these easements purchase a portion of the development rights and/or restrict future uses of the land. The amount, kind, or location of development may be specified. Such easements are valuable to encourage retention of the rural and scenic character of the mountains. Easements can also be used to protect archeological or historical values and retain agricultural uses.

b. Right-of-Way Easement. Those easements which allow public access over specific parts of a property, such as for a trail. In this case, an easement is purchased which will allow specific transient uses across a designated area. This type of easement is of high value in the mountains. Liability of the private landowner is often a question in the case of these positive easements (giving the right of access). Section 846 of the California Civil Code 1976 specifically exempts liability of property owners having trails or other recreational uses on their property for the benefit of the public.

In both types of easements, the private landowner retains title to the land and the National Park Service pays that owner fair market value for the rights acquired by the federal government. The details of each easement are spelled out in individual easement agreements and the value of each easement is individually appraised. Easements may also be donated to the national recreation area, resulting in tax benefits to the owner. (Sample agreements for right-of-way, conservation, and agricultural easements are included as Appendices C, D, and E.)

Easements are most likely to be useful where:

-- some but not all private uses are compatible with park purposes for that area.

-- owners desire to continue current types of use and occupancy of the land, and such use is compatible with the national recreation area.

-- scenic values need protection, or access by the public is needed, or National Park Service ownership is needed only over a portion of the land.

3. Methods of Acquisition

The National Park Service can acquire fee and easement interest through several different methods:

a. Purchase with donated or appropriated funds at fair market value.

b. Transfer from other federal, state, county or local agencies.

c. Donation of lands or interest in land. Landowners who have substantial taxable incomes are sometimes interested in this method. The Internal Revenue Code allows certain tax deductions for donation of land or interest in land for approved conservation purposes, such as parklands for the recreation area. The Land Resources staff is prepared to assist the landowners with examples showing tax advantages of donations. The landowners should consult their attorneys and accountants for specific tax advice.

d. Exchange. Land exchanges could lower acquisition costs in the Santa Monica Mountains. One type of exchange would offer surplus federal property in California in exchange for property in the Santa Monica Mountains. The feasibility of this type of exchange is dependent upon the availability of other federal lands.

Donated property that is not located in an acquisition area of the recreation area could also be used for exchange. The National Park Service may choose to encumber the property by easement restrictions which would set development controls prior to the exchange.

e. Bargain sale (partial sale, partial donation). A bargain sale can help landowners or corporations offset their capital gains tax. The Land Resources staff is prepared to assist landowners with examples of tax advantages of bargain sales. Landowners should consult their attorneys and accountants for specific tax advice.

f. Condemnation (eminent domain). The federal government has the authority to acquire private property through the federal court system when needed for public uses. A judicial process assures the landowners just compensation when private land is acquired through condemnation action. There are two types of condemnation actions - - complaint and declaration of taking.

1) Complaint. Title to the land does not pass to the government until the court or jury has determined the amount of just compensation and this amount has been paid to the owner. In the meantime, the owner retains full legal rights of ownership, including the right to manage and dispose of the property. If the government believes the award is too high, it may refuse to pay and will dismiss the case from condemnation. In the latter event, the government must pay the owner's attorney fees and other litigation costs. The complaint process is used under the following situations:

a) the government and the landowner are unable to arrive at an agreement as to the value of the property.

b) the landowner refuses to sell his or her property and it is considered essential for the purposes of the national recreation area.

c) there is a question about the title that needs to be cleared in the courts.

2) Declaration of Taking. This type of condemnation involves the filing of a declaration of taking along with the complaint. The government deposits the amount at which it estimates just compensation with the court at the time of filing, and title to the land passes to the government at that time. The court will usually allow the deposit to be withdrawn by the landowner soon after the deposit is made. If the trial determines a different amount as the actual award of just compensation, the difference must be paid, as appropriate, to the government or the owner with interest. The government may not dismiss the case unless the owner agrees, but must pay whatever amount is awarded by the court or jury. The government obtains immediate title, control, and possession of the land in a declaration of taking. A declaration of taking is used:

a) when a land use change is imminent on a parcel on which the National Park Service has begun an appraisal and the owner is unwilling to delay the adverse action until negotiations have been completed.

b) when impacts of an imminent land use change on a parcel of property within the fee or easement areas are great enough to cause a substantial adverse impact on the national recreation area and negotiations to acquire the land are unsuccessful or the landowner refuses to sell his or her property.

c) when there is a cloud on the title that must be cleared by the courts in a transaction involving a willing seller.

At Santa Monica Mountains National Recreation Area, condemnation will be used only as a last resort when all efforts to acquire the property through negotiations with the landowner have been exhausted. Eminent domain authority can be exercised for both fee and easement acquisitions.

g. Dedication of Open Space. Open space is often dedicated to a public agency as a condition of large tract development through the local regulatory process. In some cases, the National Park Service will become the manager of these open space dedications. Potential open space dedications are anticipated if the following proposed developments take place: Currey Riach; Malibu Pacific Estates; Bel Mar Estates; and Rancho Palo Comado (Oren).

h. Purchase and Exchange or Purchase and Sellback. If a landowner wants to sell only a fee interest and National Park Service goals are to acquire an easement interest, lands may be acquired in fee and used for exchange or resale with restrictions in the deed to meet National Park Service objectives. This would provide long term protection of resources and also provide for continued private use of property in ways compatible with the purposes of the national recreation area.

i. Reservations of Use and Occupancy. The enabling legislation provides for continuation of single family residential and agricultural uses through reservations of use and occupancy. Properties which were improved with dwellings and/or which had agricultural operations in effect prior to January 1, 1978, are guaranteed the right of reserved use if the landowner desires. The cost of the single family residential use is based upon a charge of one percent per year times the value of property reserved for private use. The cost of the agricultural reservation is based on the present worth of the net income that the particular agricultural use is expected to generate over the reserved period. A sample of the conditions of rights of use and occupancy of a single family non-commercial property is included in Appendix F.

Two types of reservations may be used in the Santa Monica Mountains:

1) Term Reservation of Use and Occupancy. Specified term reservations are available for a period up to 25 years. Reservations would include restrictions to assure protection of unit resources. In case of death, the remaining term of occupancy right passes to the heirs or assigns.

2) Life Estate. The cost of this right is based on one percent per year times the value of the property reserved for private use for each year of expected life, determined on life expectancy tables. In the case of co-owners, the term or period of the estate is set by the longest life expectancy. When the last of the co-owners dies, the reserved right terminates.

In both cases property can not be used for commercial, industrial, mining or similar uses or for accommodation of paying guests for period of less than 90 days.

j. Hardship Case. A landowner in a hardship situation will be given priority consideration for acquisition.

Examples of a hardship situation are:

1) A landowner whose improvements were destroyed or extensively damaged by a disaster (fire, flood, mudslide, earthquake), and whose property is located in a proposed acquisition area of the national recreation area. In a disaster situation, the National Park Service will acquire the property in an "as is" condition.

2) A landowner who is relocated to another area and is unable to sell his/her property after a legitimate effort has been made to sell the property for a time period typical of the property being offered under prevalent market conditions.

3) A landowner is required to go into a rest home or becomes extremely ill and is required to sell his/her property but cannot do so after a legitimate effort has been made to sell the property for a time period typical of the property being offered under prevalent market conditions.

A person in the business of buying land and later selling it for a profit will not generally be considered a hardship case.

VI. RECOMMENDATIONS

In order to adequately protect Santa Monica Mountains National Recreation Area, an essential core of fully protected natural, cultural, and recreational resources must be acquired. These parkland resources must be buffered and supported by compatible private and public land uses which are under the jurisdiction of a variety of regulatory and special purpose agencies. In many instances, cooperative efforts between government and private owners are desirable to achieve a fuller degree of resource protection. All levels of government and private individual efforts are necessary to make this unique but achievable concept work, and to insure the protection of individual property rights.

The National Park Service will use a combination of almost all of the methods described in the section on protection alternatives at appropriate locations throughout the national recreation area.

In order to achieve the purposes set forth in the legislation authorizing the national recreation area, the National Park Service acquisition program will focus on the following actions.

1) Protection of beaches, coastal uplands, and undeveloped inland stream drainages. These areas, plus the existing public lands will provide the core areas for purposes of ecosystem and habitat protection. In order to achieve these objectives, National Park Service acquisition efforts will be concentrated in the Zuma,

Trancas, Solstice, Arroyo Sequit, Deer Creek, Palo Comado/Cheeseboro, Corral, and Tuna Canyon drainages. The National Park Service will cooperate with the Mountains Restoration Trust to achieve protection of resource values in the Cold Creek drainage, and fully supports the protection of Malibu Canyon through the efforts of the California Department of Parks and Recreation and the Santa Monica Mountains Conservancy.

2) Connection of existing public lands. Land connections that will provide corridors for wildlife and recreation uses between existing blocks of public lands will be protected. A north-south connection between Leo Carrillo State Beach and Point Mugu State Park will be acquired. Important trail connections, which will require Park Service fee and easement acquisition and the cooperative actions of state and local governments and private landowners, will be sought. Primary in this regard are the Backbone Trail between Malibu Creek and Point Mugu State Parks, the Zuma Ridge Trail between the coast and the Simi Hills, the Summit-to-Summit Trail between the San Fernando Valley and Point Mugu State Park, the Coastal Slope Trail, their interconnections, feeder trails to them, and easily accessible loop trails.

3) Provision of recreation activity sites. The focus in this regard will be to acquire for public use and enjoyment the Claretville/Quaker-Ross area at Malibu Canyon Road and Mulholland Highway, an addition to Rancho Sierra Vista in Newbury Park, the Hillcrest Development in Franklin Canyon and the completion of Paramount Ranch. The recreation area will also continue to work closely with the Presbyterian Church, the local communities, the City of Los Angeles, the Santa Monica Mountains Conservancy, and Los Angeles County Sanitation Districts to achieve appropriate entranceways to Topanga State Park and the Santa Monica Mountains National Recreation Area through Temescal Canyon and from the north.

4) Protection of scenic corridors. This purpose will be partly achieved as a result of all of the foregoing actions. In addition, however, two additional programs will also protect scenic values. The National Park Service will work to protect the "spine" of the Santa Monica Mountains in a high peak line including the easterly end of Boney Mountain, Triunfo Peak, the ridgeline west to and including the area north of Saddle Rock, Castro Peak, and the Calabasas Peak ridgeline. The second program will make extensive use of scenic or conservation easements along the Mulholland Scenic Parkway Corridor and other scenic areas.

Land protection methods proposed for each area of the recreation area are detailed on the Land Protection Plan map and summarized in Table 3. The categories on the map correspond to protection alternatives previously discussed. However, several protection alternatives such as transfer of development rights, trail dedication programs, cooperative agreements, and state and local

land use control are not mapped for a site specific location and will be sought throughout the recreation area. The fact that these methods are not shown at a mapped location does not reduce the potential for use of the method or the dedication of the National Park Service to pursue these options.

Lands within the boundaries have been placed in the following categories in the Land Protection Plan (see Land Protection Plan Map). For additional information about each of these protection methods, the reader is referred back to the Protection Alternatives (Section V).

A. National Park Service Land

These properties are currently owned by the United States and are managed by the National Park Service.

B. Proposed National Park Service Fee Acquisition Area

Fee acquisition is proposed for undeveloped portions of several major canyons (Arroyo Sequit, Trancas, Zuma, Solstice, Corral, Tuna, and Palo Comado Canyons) that contain significant intact natural resources. Several other strategic parcels, important for resource protection and/or visitor use as identified in the General Management Plan are also indicated for fee acquisition.

In general, the National Park Service will not be acquiring residences, even though they are located in proposed acquisition areas. Acquisition of structures will be considered if they are located in proposed fee acquisition areas and if:

1) there is a willing seller.

2) the area is needed as a recreational or administrative site.

3) the development is having a significant adverse effect on an identified ecological or cultural resource.

Where acquisition is recommended and improvements do exist, the landowner has several options, including:

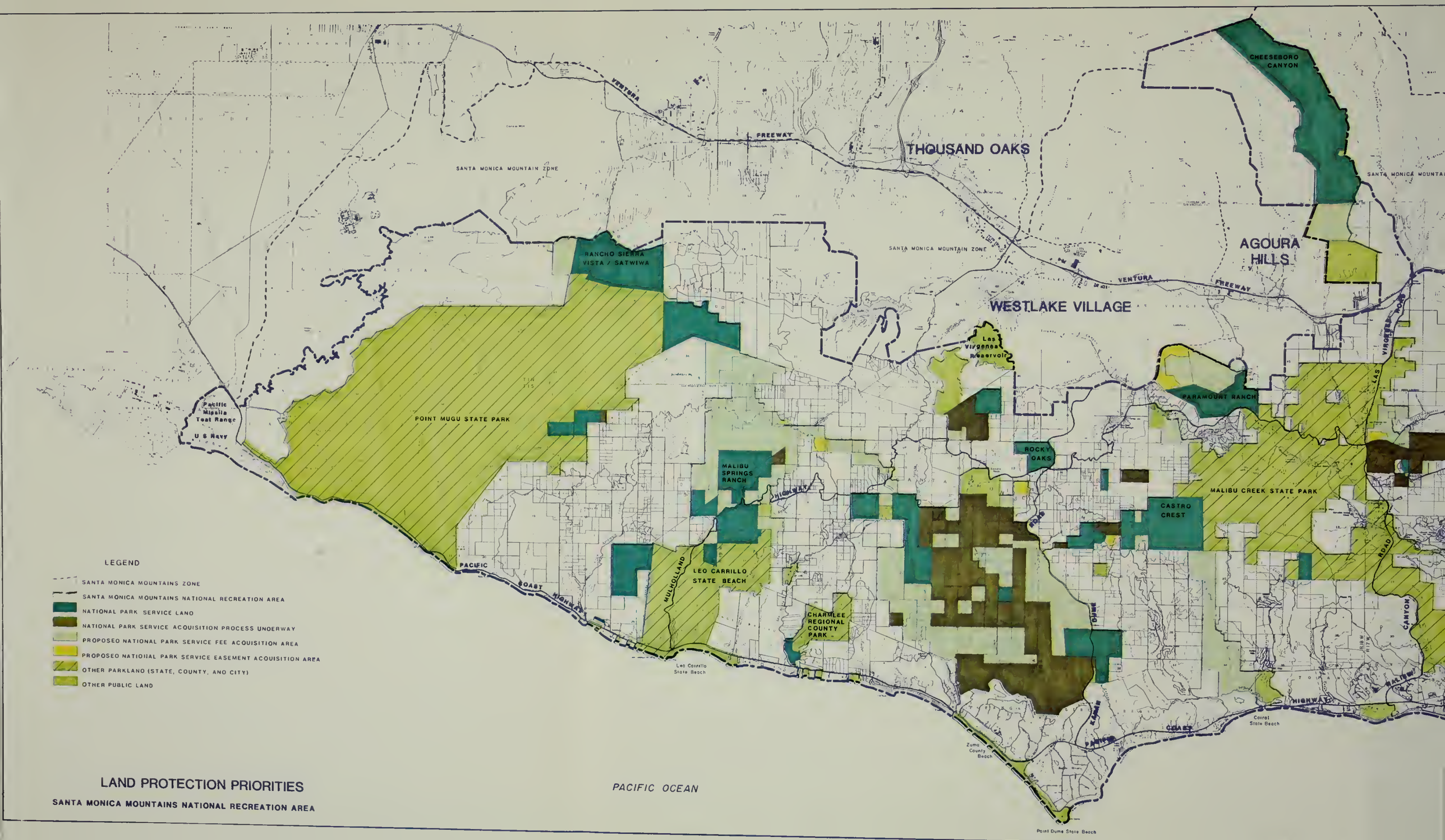
1) fee sale of only the unimproved portion of the property, with a scenic easement on the residential area retained.

2) fee sale of the property, with a reservation of use and occupancy.

Trails will be acquired through fee and easement acquisition and through trail dedication. Trail corridors can provide significant opportunities for residents, recreationists, and natural resources protection by linking existing public lands and surrounding communities with park lands. Because the loss of a trail segment to development can jeopardize an important trail link or the viability of an entire trail segment, it is necessary to take the entire trail system and circulation patterns of the mountains, as well as the scenic character of major trail corridors, into account in land protection activities.

TABLE 3 - SUMMARY OF LAND PROTECTION METHODS PROPOSED

CATEGORY	NUMBER OF TRACTS	ACREAGE	PERCENT
National Park Service Fee (Existing Ownership)	48	8,400	5.7
National Park Service Conservation Easement (Existing Ownership)	2	17	-
Proposed National Park Service Fee Acquistion Area	686	27,634	18.7
Proposed National Park Service Easement Acquisition Area	572	16,017	10.9
Other Parkland, Other Public Land (State, County, and City), and State Conservation Easement land	144	40,060	27.2
Proposed State Acquisition Area	45	5,031	3.4
Compatible Private Recreation Land	34	5,548	3.8
Cooperative Planning Area	1,643	28,476	19.3
Military Land	2	1,453	1.0
Developed Areas	40	14,829	10.0
TOTALS	3,216	147,465	100

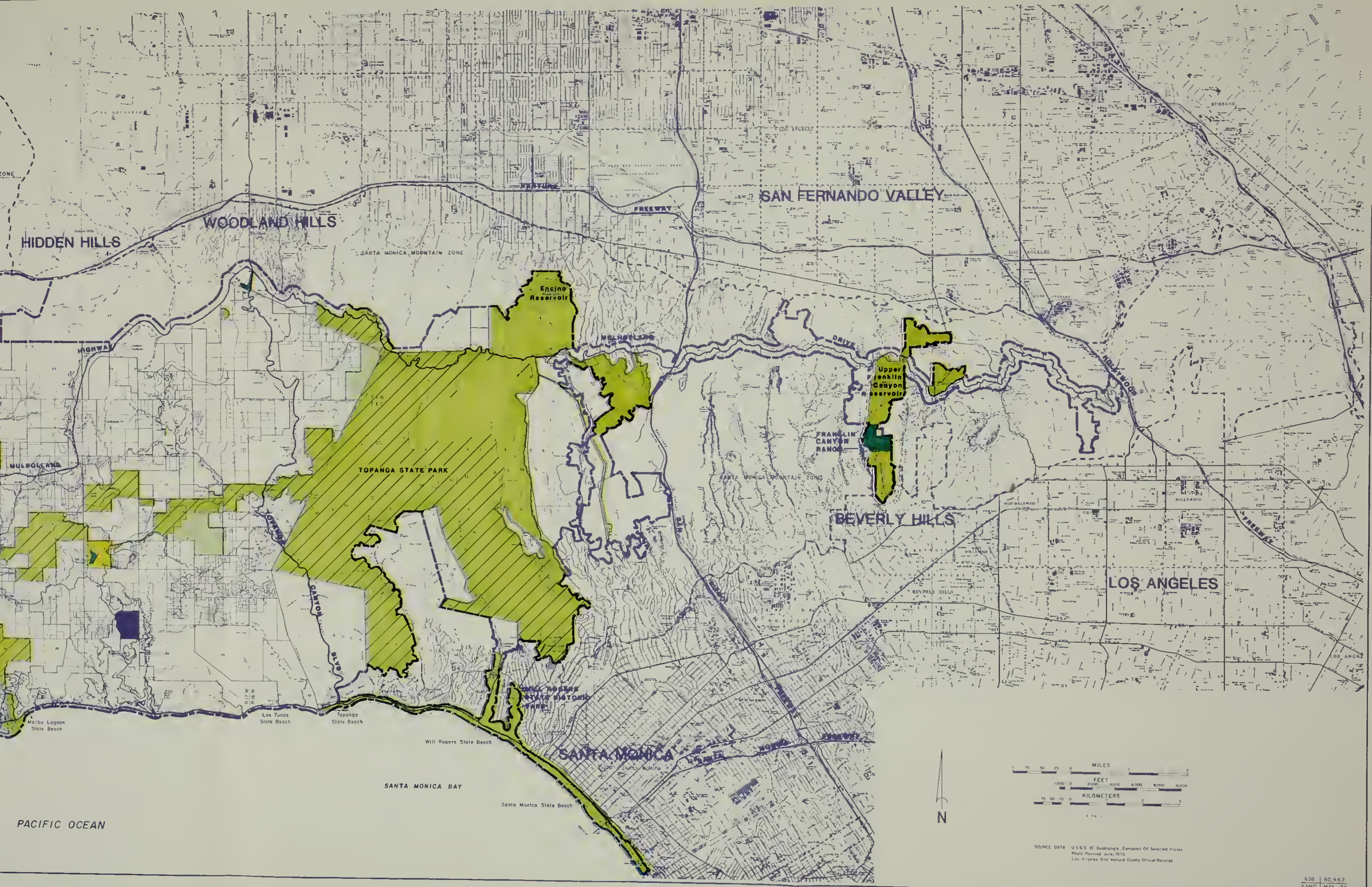


LEGEND

- SANTA MONICA MOUNTAINS ZONE
- SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA
- NATIONAL PARK SERVICE LAND
- NATIONAL PARK SERVICE ACQUISITION PROCESS UNDERWAY
- PROPOSED NATIONAL PARK SERVICE FEE ACQUISITION AREA
- PROPOSED NATIONAL PARK SERVICE EASEMENT ACQUISITION AREA
- OTHER PARKLAND (STATE, COUNTY, AND CITY)
- OTHER PUBLIC LAND

LAND PROTECTION PRIORITIES

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA



SOURCE DATA: U.S.G.S. 15' Quadrangle, Composit Of Selected Plates
Photo Revised June, 1976
Los Angeles And Ventura County Offical Records

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Trail acquisition priorities will include protection of critical connections necessary to implement a continuous trail. Particular attention will be given to acquiring trail segments that allow safe road crossings, provide staging areas, and assure continuation of trail corridors which are limited by topography and are undergoing increasing development pressure.

Priority trails for protection are:

- the Backbone Trail between Malibu Creek State Park and Point Mugu State Park
- the Zuma Ridge Trail
- connections from the Backbone Trail to the coast
- connections of major population centers and mass transit routes to existing public parklands.
- a loop trail using portions of the Backbone and Zuma Ridge trails and connecting Paramount Ranch, Malibu Creek State Park, Castro Crest, and Rocky Oaks.

C. Proposed National Park Service Easement Acquisition Area

It is anticipated that a variety of easements, including scenic, conservation, agricultural, and trail rights-of-way will all be implemented. The details of each easement will be spelled out in an individual easement agreement and the value of each easement will be individually appraised. Three examples of easement agreements are included in the appendix.

Easements are particularly suitable in the Santa Monica Mountains because some areas are already developed and can withstand additional single family residential or recreational development without adverse impacts on public use. The primary goal in such areas are to protect scenic values and encourage perpetuation of rural landscapes and trails. Areas that can be viewed from major mountain roads and trails, visual buffers that complete viewsheds of existing or proposed public lands, and corridors and trails connecting important resource habitat areas are all good candidates for easement acquisition. In most cases, requirements for public use are not exclusive in areas proposed for easement acquisition. Because full control over management and development can not be maintained in easement areas, those areas of prime resource value and anticipated to have heavy visitation are considered for fee rather than easement acquisition.

Where easements are acquired to protect a trail route and make it available to hikers and equestrians, the trail routes may change slightly as a result of negotiations and/or specific studies. The exact locations of all trail corridors will be negotiated with the involved landowners to provide separation for landowners from recreational use of trails if desirable.

Fee purchase may be considered in areas designated for easements under the following conditions:

1. When there is a willing seller with the property adjacent to a fee area and purchase would (a) contribute significantly to protection of important scenic, natural, and cultural values; (b) expand wildlife corridors; or (c) provide significant opportunity for expanded public use.

2. When there is a willing seller and the property is not adjacent to a fee area, but could provide for significant public use opportunities or provide protection for significant natural or cultural values without reliance upon relationship to any other piece of land.

3. For trail corridors as identified by the General Management Plan, if fee is needed to adequately protect the trail or provide a rest area.

4. When the easement acquisition approaches the full fair market value of the property. Costs for purchasing easements will vary widely depending on how much potential uses of the land are limited, and the local trends in development.

5. When a landowner does not wish to sell an easement. Sellback, leaseback, and purchase/exchange options will be considered as a way to reduce expenditures under this condition.

D. Other Parkland (State, County, and City)

State, county, and city parkland that are primarily managed for recreational use, habitat preservation, and open space are mapped in this category. Most of these lands are available for public use and their management is compatible with National Park Service goals. The National Park Service will not generally acquire any interests in these areas except through donation or exchange.

E. Other Public Lands

Lands owned by city, county, state, and federal agencies other than the National Park Service, but not available for public use, are mapped in this category. Lands owned by public utilities (such as the Las Virgenes Water District) are also included. These lands are adequately protected and the National Park Service will not acquire any interests except through donation or exchange. The National Park Service will work closely with concerned agencies to ensure compatibility of uses between areas managed by the National Park Service and other public lands.

F. State Conservation Easement Land

Use of these areas have been restricted through a legal agreement between the landowner and the State of California to protect scenic values and important viewsheds. Their protection is compatible with National Park Service goals in the national recreation area.

G. Proposed State Acquisition Area

The State of California has identified these areas as potential additions to state park lands, to the mountains trails system, and to the recreational and open space lands that will implement the Santa Monica Mountains Comprehensive Plan. When acquired, they will be managed for recreation uses and open space protection. As with other public lands, the National Park Service will coordinate subsequent efforts with the state to ensure compatible management of all parklands in the Santa Monica Mountains. The acquisition of these lands will be carried out by the Department of Parks and Recreation and the Santa Monica Mountains Conservancy.

H. Compatible Private Recreation Land

Private organizations and individuals are already providing recreation and educational uses that are compatible with recreation area goals in these areas. These lands will be considered for purchase by the National Park Service when there is a willing seller or if use of the property is going to change to a non-recreational use.

I. Cooperative Planning Area

Private development and use will continue under the permitting authority of local land use agencies and the stewardship of local property owners in these areas. The National Park Service will work with landowners to protect mountain resources, exchange information with agencies and individuals, and review plans and designs to ensure complementary management that will enhance the scenic and natural quality of the mountains. Zoning powers will be heavily relied upon to achieve recreation area purposes in cooperative planning areas.

The National Park Service may consider purchase of fee or easement interest in a cooperative planning area when imminent changes in land use through zoning changes will clearly produce significant adverse impacts on fee or easement lands in the national recreation area. Acquisition will only be considered after all other alternatives for reducing or eliminating such impacts have been exhausted. Such impacts might include:

1. impacts on major scenic vistas
2. excessive noise introduced into areas of solitude
3. excessive runoff which could cause lasting damage to important habitat areas
4. inducement of intensive development adjacent to significant resource areas
5. lowering of water quality
6. loss of important recreation opportunities
7. loss of nationally significant natural or cultural resources

J. Military Land

The national recreation area includes a portion of the Pacific Missile Test Center and Point Mugu Naval Air Station. The primary use of these lands will continue to be for the purposes of the Pacific Missile Range and the U. S. Naval Construction Battalion for such time as the Department of Defense finds it necessary to use these lands. The relationship between the Department of Defense (DOD) and the Department of Interior is detailed in two cooperative agreements; one between DOD and the U. S. Fish and Wildlife Service relating to the natural values of Mugu Lagoon and one between DOD and the Santa Monica Mountains National Recreation Area, relating to interpretive programs and compliance with the act establishing the national recreation area.

K. Developed Area

The level of development in these areas severely limits the potential for open space preservation and public recreational use. Although no National Park Service acquisition is proposed in developed areas, they are viewed as an integral part of the national recreation area. These areas will remain as viable communities where residents can play a positive and active role in the perpetuation and enjoyment of the values of the Santa Monica Mountains. Local zoning powers will be relied upon to control future land use in developed areas. Trails through and connecting these areas with public land will be encouraged. Trail dedications will be accepted.

L. Priorities

1. Criteria for Selection of Priorities

Several factors were considered in determining which areas will be priorities for fee and easement acquisition. Each priority area meets one or more of the critical purposes for lands that should be held in public ownership as listed in the recreation area's establishing legislation. These critical purposes are:

- preservation of beaches and coastal uplands
- protection of undeveloped inland stream drainage basins
- connection of existing state and local government parks and other publicly owned lands to enhance their potential for public recreation use
- protection of existing park roads and scenic corridors, including protection of the Mulholland Scenic Parkway Corridor
- protection of public health and welfare
- development and interpretation of historic sites and recreation areas to include but not be limited to parks, picnic areas, scenic overlooks, hiking trails, bicycle trails, and equestrian trails.

In addition to the criteria in the legislation, factors such as natural and cultural values, potential for public uses, threat of development, and the likelihood that the area will be protected by a state or local agency have been taken into account. Areas that contain high natural and cultural values have been given priority acquisition attention, especially when they contain endangered and threatened plants and animals and their habitat, significant ecological areas, and Native American Indian historic sites. Lands that will provide a wide variety of outdoor recreation and learning opportunities to people from a wide diversity of ethnic and social cultures, all economic levels, and all ages are considered high priority. These lands, in most cases, are the remaining flat, accessible lands in the mountains that are also experiencing intense pressures for residential and commercial development. The threat of development has already claimed one major visitor activity site identified in the recreation area's General Management Plan. Other losses are anticipated unless the remaining activity sites identified for National Park Service acquisition are purchased in the near future.

2. Specific Priority Areas

Several areas are high priority for acquisition because of significant resources requiring protection and their potential for visitor use. Depending on the amount of funding that becomes available, the following general areas and individual tracts have been identified for high priority fee acquisition.

a. Zuma and Trancas Canyon Area (Fee acquisition, 121 tracts with 3,707 acres)

These undeveloped canyons contain extensive and rich riparian and upland vegetation communities which, in turn, support abundant wildlife populations. Riparian woodlands are found along much of the length of these canyons, and their perennial streams are an uncommon resource in the mountains. In addition, Zuma Canyon harbors several uncommon plants and animals, including the Santa Susana tarweed, the Lyon's pentachaeta, red shank, black cottonwood, and Pacific pond turtles. The Santa Susana tarweed and Lyon's pentachaeta are nominated for federal endangered species status. Scenic values are enhanced by rock outcrops, bands of riparian vegetation, waterfalls and still pools. High cliffs are suitable for raptor nesting, and undeveloped conditions promote a rich diversity of wildlife. Native animal species found in the canyons include the most sensitive--the elusive mountain lion and golden eagle.

These canyons meet several critical purposes for lands that should be in public ownership as listed in the recreation area's establishing legislation. Preservation of coastal uplands and protection of two undeveloped inland stream drainage basins would be accomplished by this acquisition. Zuma Canyon has been designated as a Significant Ecological Area by the County of Los Angeles based upon the presence of valuable natural resources and the fact that the area is in a natural state. While a small amount of residential development is found in the upper watershed, this development has neither significally increased downstream sedimentation nor changed the natural character of the canyon watershed. The portion of Trancas Canyon designated for priority acquisition is also

an undeveloped coastal canyon. In combination with Zuma, Solstice, and Corral Canyons and Malibu Creek State Park, this area is judged to be large and diverse enough to substantially protect a significant representation of the Mediterranean type ecosystems.

The connection of existing public lands is also a critical purpose that can be met by this acquisition. Existing National Park Service property in Ramirez and Zuma canyons would be augmented and connected. The coastal canyons would also be linked to the county beach at Zuma beach through a trail connection.

The critical purpose related to development of recreational opportunities for hiking and equestrian trials will be met through the protection of a large segment of the Zuma Ridge Trail. This regional trail is the primary north-south trail with the coast. This trail may eventually connect with other major trails in the region, such as the Pacific Crest Trail in the Sierra Nevada Mountains. There are opportunities for other lateral ridgeline and canyon trails in Zuma and Trancas Canyons that will link inland valleys to the sea. A portion of the Backbone Trail is also within this priority area.

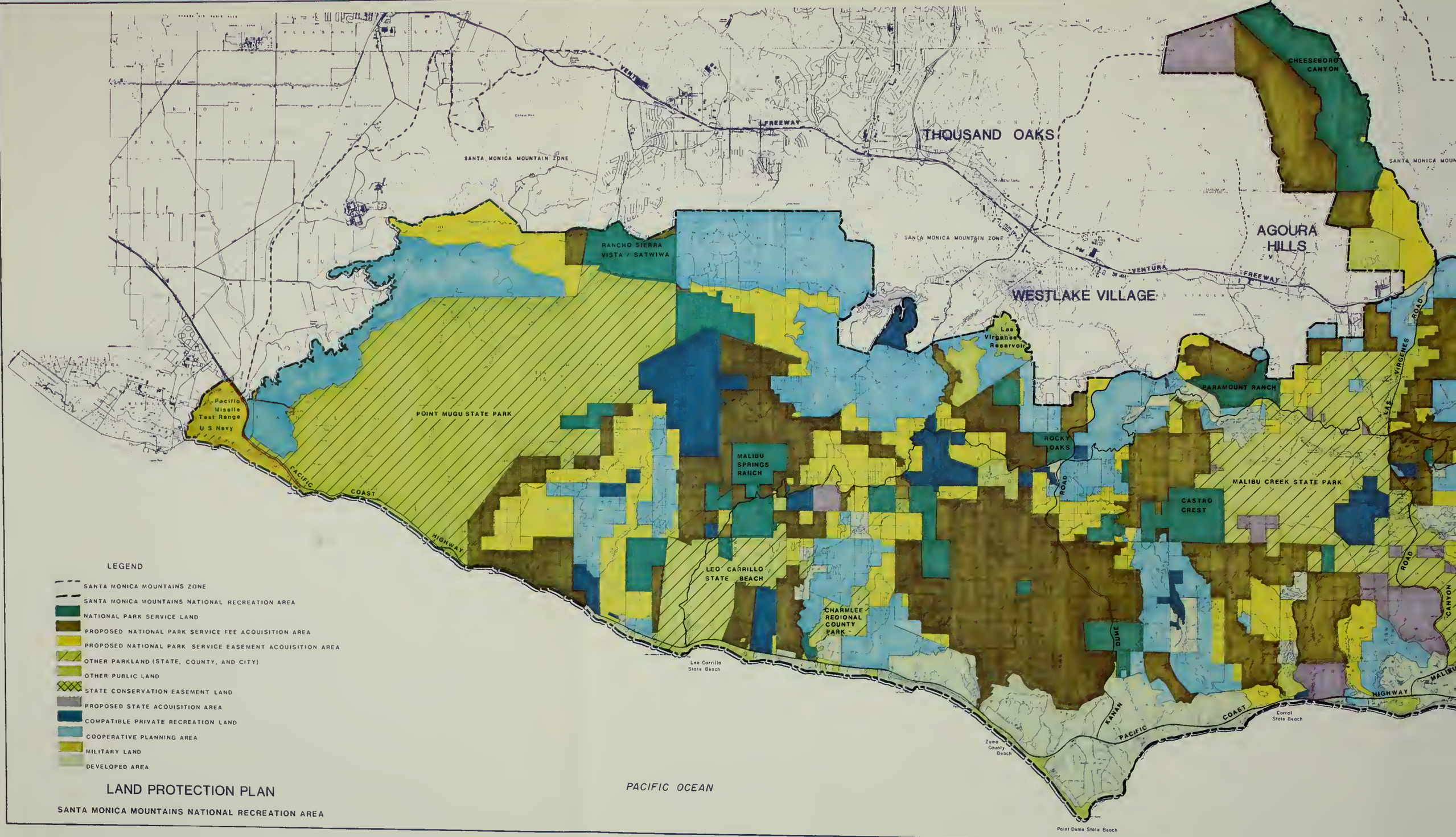
b. Backbone Trail West (Easement acquisition, 6 tracts with 111 acres and fee acquisition, 65 tracts with 1803 acres)

The Backbone Trail, a continuous 55-mile hiking and horseback riding trail, is planned that would link the western edge of the metropolitan Los Angeles area along the crest of the Santa Monica Mountain range to a terminus at the beach in Point Mugu State Park. The State of California has already protected the portion of the Backbone Trail from Will Rogers State Historic Park and through Topanga State Park to Malibu Creek State Park.

Approximately 15 miles of the trail remain unprotected between Castro Peak and Point Mugu State Park. This section is the focus of National Park Service priority fee and easement acquisition efforts and continues a priority established in past years to extend the Backbone Trail west of Malibu Creek State Park. The State of California has been unable to make a commitment for trail acquisition in the western portion of the mountains. The trail is vital to serve a large number of recreation users and would serve as the main trunk of the mountains' trail system, linking canyons, ridges, the ocean, and recreational use sites.

This trail corridor meets many of the critical purposes for public ownership as directed by the legislation. It connects existing state and local parks and National Park Service lands, protects existing scenic trail corridors, and allows the development of a hiking and equestrian trail.

Public recreation uses of three large state parks are enhanced by this acquisition because the protection of this link of the Backbone trail corridor will allow trail construction and use by hikers and horseback riders. Because the trail will be continuous, accessible to urban areas, and available to the public, and because it traverses significant scenic features, it meets all criteria necessary to qualify as a National Recreation Trail.

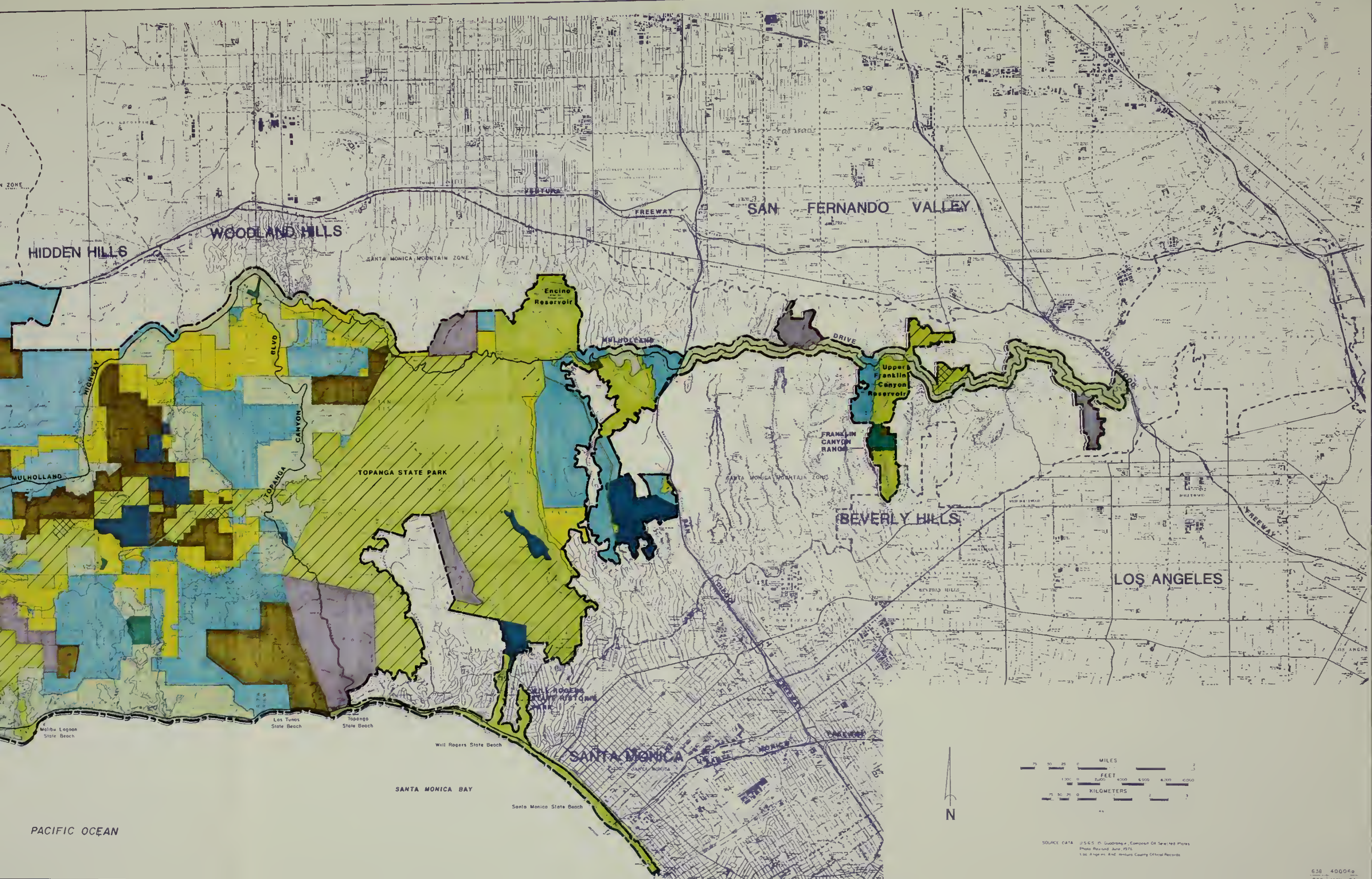


LEGEND

- SANTA MONICA MOUNTAINS ZONE
- SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA
- NATIONAL PARK SERVICE LAND
- PROPOSED NATIONAL PARK SERVICE FEE ACQUISITION AREA
- PROPOSED NATIONAL PARK SERVICE EASEMENT ACQUISITION AREA
- OTHER PARKLAND (STATE, COUNTY, AND CITY)
- OTHER PUBLIC LAND
- STATE CONSERVATION EASEMENT LAND
- PROPOSED STATE ACQUISITION AREA
- COMPATIBLE PRIVATE RECREATION LAND
- COOPERATIVE PLANNING AREA
- MILITARY LAND
- DEVELOPED AREA

LAND PROTECTION PLAN

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA



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c. Yoti Loop Trail (Fee acquisition, 19 tracts with 812 acres and easement acquisition, 10 tracts with 164 acres)

The Zuma Ridge Trail and the Backbone Trail intersect in the heart of the Santa Monica Mountains, forming most of the Yoti Loop Trail. Beginning at Paramount Ranch, the 15-mile trail runs south through Malibu Creek State Park, then west into the rugged beauty of Zuma Canyon. From there it passes through the federal property of Rocky Oaks and heads northeast into Triunfo Canyon and reenters Paramount Ranch from the west. The unprotected segments of the Yoti Loop Trail within the recreation area boundary total about 3 miles. These segments are proposed for priority fee and easement acquisition.

The loop trail builds upon the two most significant regional trails in the Santa Monica Mountains, the Backbone and Zuma Ridge Trails. The Yoti Loop Trail meets critical purposes of connecting existing parkland and allows the development of hiking and equestrian trails.

d. Rancho Sierra Vista - Leo Carrillo Connection (Fee acquisition, 98 tracts with 2570 acres)

The connection of prime coastal public land at Leo Carrillo State Beach to inland valley public land at Rancho Sierra Vista across the crest of the Santa Monica Mountains range is possible in this area. This priority builds upon previous acquisitions in the Arroyo Sequit area to create a public land bridge that contains a variety of important resources and a coastal connection to the Backbone Trail for recreational uses. Protection of these lands will preserve a wildlife corridor to the Boney Mountain/ Sandstone Peak area, the highest peaks in the recreation area, and provide habitat for a variety of plants and animal life, including raptor nesting habitat.

Preservation of coastal uplands, protection of the undeveloped inland drainage basin of Arroyo Sequit, protection of a portion of the Mulholland Scenic Parkway Corridor, and development and interpretation of parklands and opportunities for trails, scenic overlooks, and camping sites are critical purposes which can be met by this acquisition. A trail linking Leo Carrillo State Beach to the Backbone Trail and continuing north to the community of Thousand Oaks is a potential. These proposed acquisitions also encompasses the westernmost part of the Backbone Trail. The Mulholland Scenic Parkway Corridor provides opportunities for a scenic driving experience, overlooks, and exhibit, as well as serving as a visitor transportation corridor. The protection of the upper portions of the Arroyo Sequit watershed will reduce the potential for downstream sedimentation impacts in Leo Carrillo State Beach, and protect significant tidal and offshore resources in a coastal area that has been designated as an area of Special Biological Significance by the California Water Resources Control Board.

e. Solstice Canyon (Fee acquisition, 6 tracts with 880 acres)

Solstice Canyon contains a perennial stream, fine riparian habitat, and high scenic values. A prime riparian woodland including stands of sycamore and white alder, coastal sage covered hillsides, and a waterfall combine to make this a scenic area for hiking, and potentially for primitive camping. The area is the site of historic peregrine falcon nesting sites and may have potential for future reintroduction efforts.

Steelhead trout ran in the stream until the 1920's and this species might also have possibilities for reintroduction. The canyon is accessible from Pacific Coast Highway and a nearby Rapid Transit District bus stop. A trail providing a link from Malibu Creek State Park to the coast is proposed through this canyon.

Public ownership of Solstice Canyon will meet the following critical purposes: Preservation of coastal uplands, protection of an undeveloped stream drainage basin, and development and interpretation of historic sites and recreation areas. The potential for development of public uses include a trail connecting the canyon to Corral State Beach, a picnic area, and a camping area.

f. Hernandez Bowl (5 tracts, 300 acres)

This area provides natural habitat and valuable open space in the Topanga area. Acquisition will protect the viewshed of the Backbone Trail, a major mountain trail, and will protect this natural area for wildlife habitat and its scenic values. Protection of this area will meet the critical purpose of providing a connection to existing state park lands which have already been purchased for the Backbone Trail corridor.

g. Santa Maria Canyon (10 tracts, 206 acres)

The east ridge of Santa Maria Canyon lies adjacent to the Mulholland Scenic Parkway Corridor and Topanga State Park. It also includes paleontological resources and is a valuable education resource. Acquisition of this area meets critical purposes of connecting existing parklands, protecting a portion of the watershed that drains into Topanga State Park, and protecting the Mulholland Scenic Parkway Corridor.

h. Individual Areas with High Recreation Potential (Fee acquisition, 21 tracts, 566 acres)

Three areas with high recreational use potential have been identified for priority opportunity purchases if they become available. Development of any of these tracts for residential or other uses will severely compromise the ability of the National Park Service to meet the goals of the legislation related to provision of visitor use and education.

1) Las Virgenes Valley

The Las Virgenes Valley lies in the heart of the Santa Monica Mountains. The area includes Claretville and the Quaker/Ross property which the National Park Service is currently working to acquire as well as the viewshed of the valley. This area would be developed as a major activity site for the national recreation area. It lies adjacent to Malibu Creek State Park and contains flat and rolling terrain that could accommodate a large number of park visitors in activities ranging from picnicking and camping to outdoor education to field games. Because of its accessibility, the site would also be suitable as a headquarters for the recreation area and for a major visitor center, museum, hostel, and research

center through adaptive use of existing structures. Built in 1928, Claretville was the former home of King Gillette, a powerful industrialist of the 1920's. Wallace Neff, the architect, was also an important historical figure and the structures may have national significance.

Critical purposes met by acquisition in Las Virgenes Valley include connection of public owned lands in Malibu Creek State Park and Diamond X Ranch, already owned by the National Park Service; protection of a segment of the Mulholland Scenic Parkway Corridor; and the vast potential to provide for the recreational and educational objectives of the enabling legislation.

2) Medea Valley

Another priority area with high recreation potential is located in Medea Valley, adjacent to Paramount Ranch which is owned by the National Park Service. Lying just north of National Park Service land, this property is integrally related by landform and visual character to Paramount Ranch. Paramount Ranch is being developed as an activity site that serves both structured recreation use (such as special events and filming interpretation) and exploration in isolated canyon areas. The adjacent property will complement these visitor uses and provide a critical link to the Zuma Ridge trail, the major north-south trail link in the mountains.

Acquisition will allow accomplishment of development of additional recreational use areas and a link to the Zuma Ridge trail for equestrians and hikers from Malibu Creek State Park, as envisioned in the General Management Plan. Residential development on this property would severely intrude upon Paramount Ranch.

3) Rancho Sierra Vista/Satwiwa Extension

An additional priority area is located just west of Rancho Sierra Vista/ Satwiwa in Ventura County. The National Park Service already owns Rancho Sierra Vista/Satwiwa and plans a variety of educational and recreational uses that include Native American Indian programs and a cultural center, a demonstration ranch, picnicking, trails, and staging for the northern access to Point Mugu State Park. Residential areas abut the northern boundary of Rancho Sierra Vista/ Satwiwa. Four potential alternative access points within the confines of the National Park Service property were considered as entrance road locations to the park area, but all of these points are either directly across the street from homes or would result in substantial environmental impacts as roads were built to connect to park activities. Because of the potential for impacts to area residents, the National Park Service is considering acquisition of additional land to allow construction of a new entrance road which will connect with Lynn Road, a major artery to the Ventura Freeway. This entrance would not affect area residents and would facilitate visitor use. The terrain is flat and rolling and would also be suitable for construction of a campground, which has been identified as a priority recreation need.

i. Other Threatened Lands

In addition, if critical tracts for preservation of significant ecological areas, trails or activity sites become imminently threatened by development their acquisition will immediately be sought. Bargain sale opportunity purchases which relate directly to achievement of the purposes of the enabling legislation will receive priority consideration whenever they arise. Congress may specify areas for acquisition in conjunction with annual appropriations which may result in additional acquisition priorities.

3. Current Acquisitions Underway

Acquisition is in process for fee acquisition of 52 tracts with 4,113 acres. These areas, in various stages of acquisition, will remain in high priority.

APPENDICES

APPENDIX A

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA ADVISORY COMMISSION LAND PROTECTION RECOMMENDATIONS

The Santa Monica Mountains National Recreation Area Advisory Commission carefully considered each public comment and determined land protection designations for all areas within the National Recreation Area. (The Commission's response to public comment is on file at park headquarters.)

The Advisory Commission unanimously passed the attached resolution at their public meeting on April 24, 1984. The resolution lists the primary concerns of the Advisory Commission and those properties which they feel should have priority for fee and easement acquisition.

The Advisory Commission feels that the Land Protection Plan prepared by the National Park Service does not provide adequate protection for resources within the National Recreation Area and recommends additional fee and easement acquisition as shown on the following map labeled "Land Protection Recommendations". Recommendations for protection priorities are also mapped.

IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA
22900 Ventura Boulevard, Suite 140
Woodland Hills, California 91364

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA ADVISORY COMMISSION

RESOLUTION CONCERNING LAND PROTECTION PLAN

RESOLUTION NO. 002-84

WHEREAS, a Land Protection Plan is required for the Santa Monica Mountains National Recreation Area, and

WHEREAS, the Santa Monica Mountains National Recreation Area Advisory Commission has a legal responsibility to advise the National Park Service on matters of management of the National Recreation Area, and

WHEREAS, the main goal of the Land Protection Plan shall be to protect the important natural, cultural, scenic, and recreation resources of the Santa Monica Mountains as enumerated in the legislation which established the National Recreation Area, and

WHEREAS, the Land Protection Plan Committee of the Advisory Commission has met ten times to study the resources of the Santa Monica Mountains and to consider, comment by comment, the public input on the Draft Land Protection Plan, and

WHEREAS, the present National Park Service procedure to obtain land by alternatives to fee purchase and by innovative plans to attract private donations to the park, has proven inadequate to fulfill the Congressional mandate for this new park, and

WHEREAS, fee acquisition funded by direct appropriations is the most effective way to acquire needed sites, to assuage property owners' uncertainly as to the future of their lands, to fulfill the urgent park and recreation needs of citizens, and to avoid the escalating costs of postponed acquisition.

THEREFORE, the Commission has prepared a recommended Land Protection Plan based on the following guidelines:

a. The Land Protection Plan shall be based on significant natural and cultural resources, watersheds, viewsheds, and recreation opportunities, and

b. The federally owned and managed lands shall protect beaches, coastal uplands, canyons, mountain ridges, streams, important viewsheds, wildlife habitats, and provide linkages to all important areas.

c. The National Park Service shall work with local agencies to protect resources in specific parklands within the National Recreation Area.

d. No boundary modifications are appropriate at this time.

The Commission therefore RESOLVES:

1. To recommend a Land Protection Map as depicted on the attached map which proposes fee acquisition for approximately 35,000 acres generally located in the following areas:
Franklin Canyon, Temescal Canyon, Santa Maria Canyon, Tuna Canyon, Pena Canyon, Las Flores Canyon, Hernandez Bowl, Hondo Canyon, Topanga Meadows, Upper Topanga Canyon, Sunnyglen, Summit-to-Summit, Wagon Wheel Ranch, Calabasas Peak, Cold Creek watershed, Saddle Peak, Dark Canyon, Piuma Crest, Stokes Canyon, the Claretville Bowl, Las Virgenes Viewshed, Palo Comado, Cheeseboro Canyon, Liberty Canyon, April Canyon, Puerco Canyon, Corral Canyon, Solstice Canyon, Escondido Canyon, Paramount Ranch area, Zuma Ridge Trail, Backbone Trail West, the north flank of Castro Peak, La Sierra Canyon, Newton Canyon, Ramierez Canyon, Zuma Canyon, Trancas Canyon, Saddle Rock Ranch to Westlake Connection, Los Alisos Canyon, Leo Carrillo viewshed, Arroyo Sequit, Upper Carlisle Canyon, Rancho Sierra Vista extension, Boney Ridge, Serrano Valley, Pacific View Crest, Lower Deer Creek Canyon, and coastal strip east of Point Mugu State Park.

2. To recommend easement acquisition to further the purposes of the national recreation area in the following general areas:
Sullivan-Mandeville Canyons, dirt Mulhollland, Tradewoods to Topanga Trail, Summit-to-Summit Trail, Topanga Meadows, Red Rocks, mid-Topanga area, Carbon Canyon, Cold Creek, Ventura Freeway viewshed at Calabasas grade, Stokes Canyon, Pepperdine-Winter Canyon area, Dry Canyon, Zuma Ridge Trail, Escondido Canyon, Backbone Trail West, Newton Canyon, Arroyo Sequit, Encinal Canyon, Decker School Road, Hidden Valley, Little Sycamore Canyon, Boney Ridge, Cothrain Road-Deals Flat area, Upper Deer Creek Canyon, Long Grade Canyon.

3. To recommend acquisition priorities as follows and as shown on the attached priorities map:

1st Priority: On-going acquisitions, plus hardship cases, Las Virgenes viewshed, Rancho Sierra Vista extension, Pacific View Crest, Serrano Valley, Lower Deer Creek Canyon, coastal strip east of Point Mugu State Park, upper Carlisle Canyon, Backbone Trail West, the remainder of Paramount Ranch, lower Cheeseboro Canyon, Claretville, Quaker/ Ross, Solstice Canyon, Corral Canyon, Summit-to-Summit, Hernandez Bowl, Topanga Meadows, Temescal Canyon.

2nd Priority: Arroyo Sequit, complete upper Zuma and Trancas Canyons, Calabasas Peak, Cold Creek watershed, Stokes Ridge Trail, Saddle Peak, Piuma Ridge, Las Flores Canyon, Franklin Canyon, Wagon Wheel Ranch, upper Topanga Canyon, Santa Maria Canyon, Sunnyglen, Tuna Canyon, Monte Fisher (Cold Creek).

3rd Priority: Potrero Road, Leo Carrillo viewshed, Los Alisos Canyon, complete lower Zuma and Trancas Canyon, Saddle Rock Ranch to Westlake Connection, Newton Canyon, La Sierra Canyon,, north face of Castro Peak, Ramirez Canyon.

4th Priority: Palo Comado Canyon, Liberty Canyon, April Canyon.

5th Priority: All easement acquisitions.

4. To empower the Land Protection Plan Committee to make minor alterations in the recommendations so long as there is no substantial alteration of acquisition totals and that the guidelines as previously stated are not violated, and that such minor changes do not need to be approved by the Commission as a whole.

5. To urge the completion of the Land Protection Plan by the National Park Service as quickly as is possible, incorporating the foregoing recommendations as completely as possible.

6. To recommend to the National Park Service that the Advisory Commission report and maps be included in, and published as part of, the Land Protection Plan.

7. To request that the National Park Service transmit the Advisory Commission recommendations, including the maps, to the following:

Regional Director, Western Region, National Park Service
Director, National Park Service
Assistant Secretary of the Interior, Fish, Wildlife, and Parks
Secretary of the Interior
Congresspersons Beilenson, Fiedler, Dixon, Levine, Waxman, Berman, Lagamarsino
Senators Alan Cranston and Pete Wilson
All land management or regulatory agencies within the National Recreation Area

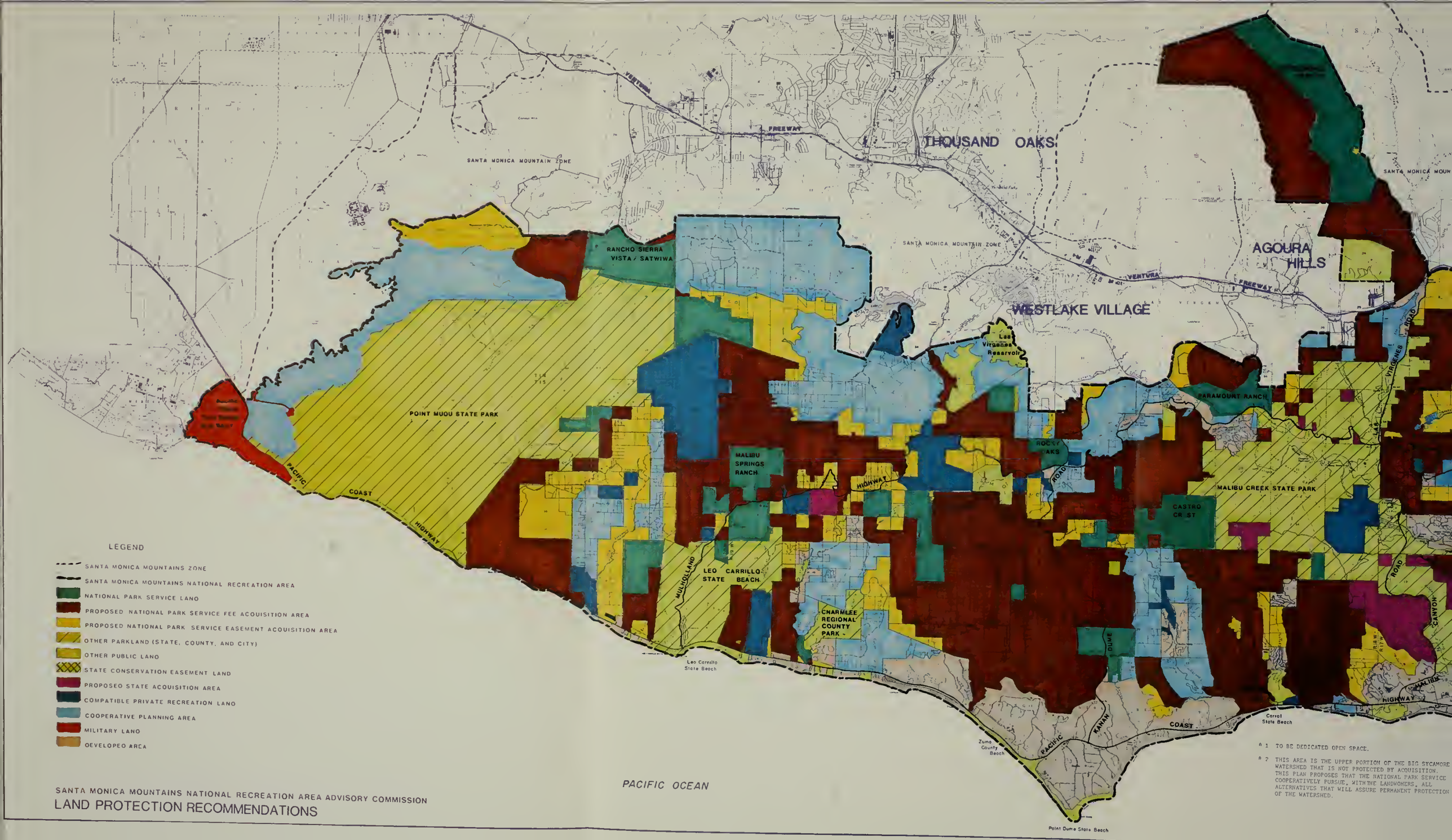
ADOPTED:
April 24, 1984
Date

AYE: Braude, Feuer, Gray, Hernandez, Peck, Wallace

NAY: None

ABSTAIN: None

Norman P. Miller, Chairman



LEGEND

- SANTA MONICA MOUNTAINS ZONE
- SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA
- NATIONAL PARK SERVICE LAND
- PROPOSED NATIONAL PARK SERVICE FEE ACQUISITION AREA
- PROPOSED NATIONAL PARK SERVICE EASEMENT ACQUISITION AREA
- OTHER PARKLAND (STATE, COUNTY, AND CITY)
- OTHER PUBLIC LAND
- STATE CONSERVATION EASEMENT LAND
- PROPOSED STATE ACQUISITION AREA
- COMPATIBLE PRIVATE RECREATION LAND
- COOPERATIVE PLANNING AREA
- MILITARY LAND
- DEVELOPED AREA

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA ADVISORY COMMISSION

LAND PROTECTION RECOMMENDATIONS

A 1 TO BE DEDICATED OPEN SPACE.

A 2 THIS AREA IS THE UPPER PORTION OF THE BIG SYCAMORE WATERSHED THAT IS NOT PROTECTED BY ACQUISITION. THIS PLAN PROPOSES THAT THE NATIONAL PARK SERVICE COOPERATIVELY PURSUE, WITH THE LANDOWNERS, ALL ALTERNATIVES THAT WILL ASSURE PERMANENT PROTECTION OF THE WATERSHED.

HIDDEN HILLS

WOODLAND HILLS

SAN FERNANDO VALLEY

FREEWAY

SANTA MONICA MOUNTAIN ZONE

Encino Reservoir

Upper Franklin Canyon Reservoir

TOPANGA STATE PARK

TOPANGA CANYON

MULHOLLAND

BEVERLY HILLS

LOS ANGELES

SANTA MONICA

Malibu Lagoon State Beach

Las Tunas State Beach

Topanga State Beach

Will Rogers State Beach

Santa Monica State Beach

SANTA MONICA BAY

PACIFIC OCEAN

N

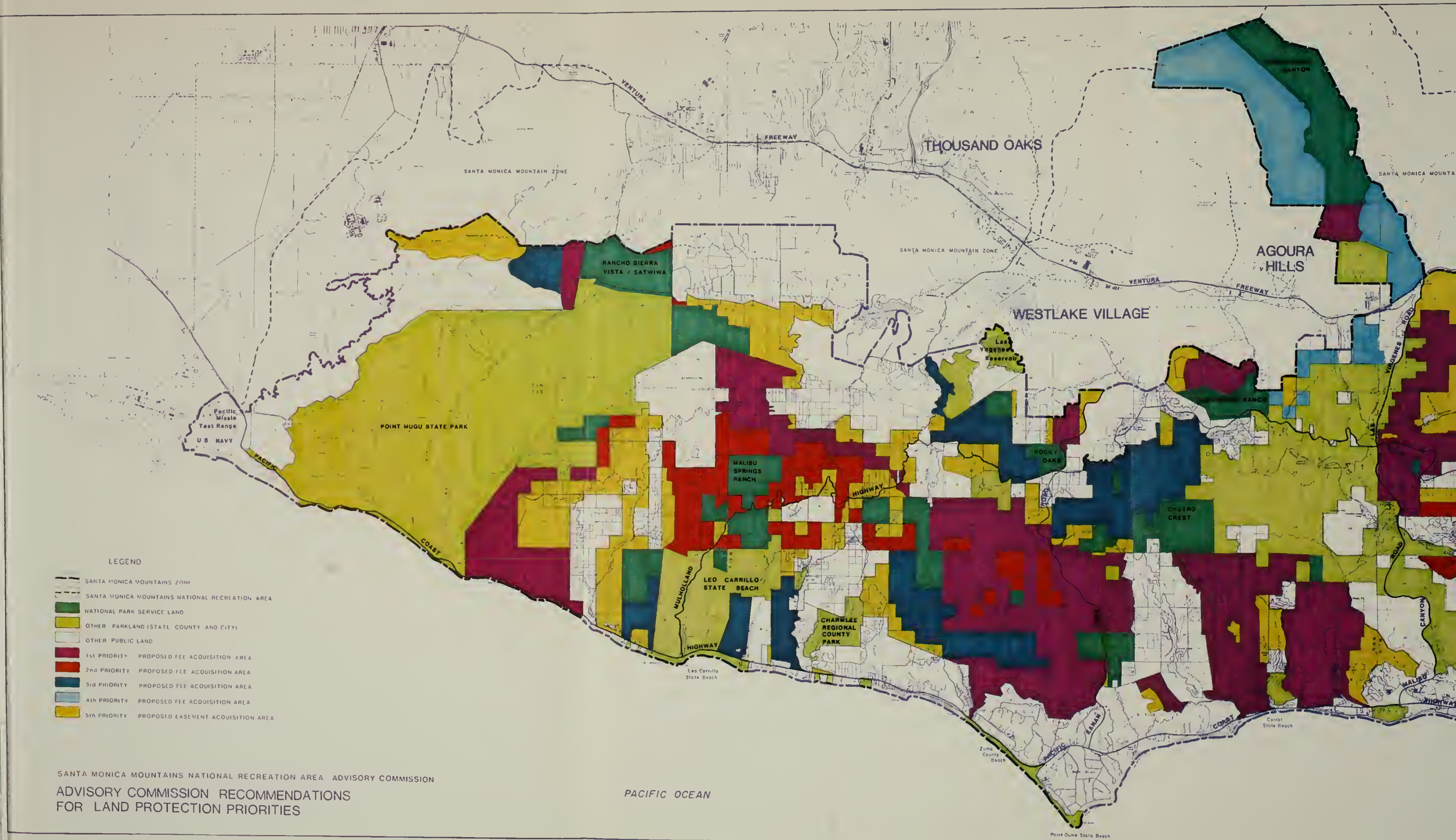
MILES

FEET

KILOMETERS

SOURCE DATA USGS 7½' Quadrangle, Compound Of Selected Plates
Photo Revised June 1976
Los Angeles And Ventura County Official Records

638 | 60,463
SAMO | MAY '84



SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA ADVISORY COMMISSION

ADVISORY COMMISSION RECOMMENDATIONS FOR LAND PROTECTION PRIORITIES

HIDDEN HILLS

WOODLAND HILLS

SANTA MONICA MOUNTAIN ZONE

VENTURA FREEWAY

SAN FERNANDO VALLEY

Encino Reservoir

MULHOLLAND DRIVE

Upper Franklin Canyon Reservoir

HOLLYWOOD

FRANKLIN CANYON RANCH

SANTA MONICA MOUNTAIN ZONE

BEVERLY HILLS

FREEWAY

LOS ANGELES

MULHOLLAND

TOPANGA

TOPANGA STATE PARK

WILL ROGERS STATE HISTORIC PARK

SUNSET BLVD.

Malibu Lagoon State Beach

Los Tunas State Beach

Topanga State Beach

Will Rogers State Beach

SANTA MONICA

SANTA MONICA FREEWAY

SANTA MONICA BAY

Santa Monica State Beach

PACIFIC OCEAN

N

MILES

FEET

KILOMETERS

SOURCE DATA: USGS 15' Quadrangle Composite Of Selected Plates
Photo Revised June 1976
Los Angeles And Ventura County Official Records

628 | 60,464
SAMO | MAY '84

APPENDIX B

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
PACIFIC MISSILE TEST CENTER, U.S. NAVY
AND THE
SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA,
NATIONAL PARK SERVICE
RELATING TO

REVIEW OF ENVIRONMENTAL DOCUMENTS AND INTERPRETATION OF SIGNIFICANT RESOURCES WITHIN THE AREA OF OVERLAP BETWEEN THE PACIFIC MISSILE TEST CENTER AND THE SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

On this 1st day of September 1981, the Commander, Pacific Missile Test Center and the Superintendent, Santa Monica Mountains National Recreation Area

ACTING in relationship to Section 507 of the National Park and Recreation Act of 1978 (PL 95-625), subsection (o), which contains provisions for National Park Service review of environmental impacts of proposals by the U.S. Navy within the Santa Monica Mountains Zone and recognizing that the procedures and limitations relating to that provision need to be clarified and implemented by both parties, and

FURTHER RECOGNIZING that the Mugu Lagoon area within the national recreation area boundary is of outstanding natural significance and has significant educational and interpretive value, yet is of an ecologically highly sensitive nature, and

FURTHER RECOGNIZING that the paramount use of U.S. Navy lands within the national recreation area, including the lagoon and its environs shall be for purposes of the Pacific Missile Test Center and that jurisdiction over these lands is exclusively that of the Pacific Missile Test Center,

DO HEREBY AGREE as follows:

1. Regarding review of undertakings, permits, licenses pursuant to the provisions of the National Park and Recreation Act of 1978, section 507(o), the Pacific Missile Center will, prior to taking any of the actions described in section 507(o), give the National Park Service the opportunity, in writing, to comment upon the environmental documents discussing such undertakings, permits and licenses and will give due consideration to those comments and to the effect of any such action on the "findings" and purposes set forth in section 507(o), except that maintenance, repair, construction, and equipment installation projects on existing facilities or other operations or actions which do not involve structural space in excess of that currently utilized and which do not significantly affect additional natural land, water, or wetland area are hereby exempt from the comment process. The area within which this article applies is as depicted on drawing number SMM-NRA 60,100 attached hereto. Pacific Missile Test Center will assume that National Park Service has no comments if such comments are not received by the Pacific Missile Test Center within 30 calendar days of the date of the request for comments, or such other time limit as may be mutually agreed upon.

In addition, the National Park Service will request Pacific Missile Test Center to review all Park Service plans or projects which are adjacent to or may affect the Pacific Missile Test Center.

2. Regarding interpretation of significant resources, Pacific Missile Test Center hereby agrees to:

a. provide escort and interpretive guidance, as staffing permits, for organized National Park Service group tours to be conducted in

non-wetland areas of Mugu Lagoon; requests for PACMISTESTCEN approved National Park Service escorted tours, under limitations set by PACMISTESTCEN, will be considered on an individual request basis;

b. provide information and guidance to National Park Service regarding ecological values and significance of Mugu Lagoon.

National Park Service (Santa Monica Mountains National Recreation Area) agrees to advise and obtain permission from Pacific Missile Test Center for all proposed interpretive tours in Mugu Lagoon and request coordination for guide and/or interpretive leadership.

Pacific Missile Test Center has authority to impose limitations on group size, composition, time and locations visited to ensure protection of the natural resources and meet Command security and safety requirements.

Santa Monica Mountains National Recreation Area and Pacific Missile Test Center, as funding permits, agree to work jointly with other agencies as necessary to establish, construct, and maintain an ecological interpretive display at an appropriate location along the Pacific Coast Highway overlooking Mugu Lagoon.

This agreement shall remain in effect until terminated by either or both parties or modified by mutual agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day, month, and year as written above.

Commander, Pacific Missile Test Center

Acting Superintendent, Santa Monica Mountains National Recreation Area

APPENDIX C

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

CONSERVATION EASEMENT - TERMS AND CONDITIONS

AS USED HEREIN, THE FOLLOWING DEFINITIONS SHALL APPLY:

"The land" means all the land covered by this easement, as described herein or in attachments hereto.

"The Superintendent" means the Superintendent of the Santa Monica Mountains National Recreation Area and/or his designated representative.

"Grantor" means the individual, individuals or other legal entities who convey the easement on the land to the United States as well as their successors and assigns.

"Accessory Buildings and Structures" means barns, storage sheds, animal shelters, garages, and other similar structures, but not guest houses.

THE RESTRICTIONS HEREBY IMPOSED ON THE LAND, THE ACTS WHICH THE GRANTOR PROMISES TO DO OR REFRAIN FROM DOING UPON THE LAND, AND THE RIGHTS IN AND TO THE LAND GRANTED TO THE UNITED STATES OF AMERICA AND ITS ASSIGNS BY THE GRANTOR ARE AS FOLLOWS:

1. The said land shall not be used for any purpose other than single-family residential use without written approval of the Superintendent.

2. The Grantor shall be allowed one single-family residence per_____ acres of land under the guidelines established in Paragraph 3 of this instrument. Accessory buildings may be constructed with the written approval of the Superintendent. The land described in this instrument shall not be subdivided into parcels smaller than _____ acres per parcel. The Superintendent shall be notified in writing by the Grantor thirty (30) days prior to construction of any buildings or structures.

3. Plans for the location of new buildings or structures shall be submitted to the Superintendent for approval. The purpose of reviewing the plans is to minimize the visual impact of the buildings or structures to the surrounding viewshed or adjacent National Park Service land. In reviewing such plans, approval shall not be unreasonably denied. The Superintendent can continue to disapprove the proposed location of a particular dwelling or structure until one has been submitted that is acceptable.

4. No structural changes or additions shall be made to the exterior of any of the buildings on said land without written approval from the Superintendent, except the Grantor reserves the right to perform ordinary maintenance on all existing structures and buildings, together with the right to replace, rebuild, or substitute any building or structure now existing with similiar buildings or structures in substantially the same size and location.

5. No trailer, motor home or mobile home shall be used on the land as a substitute for a residential building or other structure, except that should the dwelling be rendered uninhabitable by fire, storm or casualty, or the owner elects to replace the dwelling, a trailer may be placed upon said lands as a substitute dwelling on a temporary basis not to exceed one year while the original dwelling is being rebuilt or replaced or a new dwelling is being constructed.

6. No new signs, billboards or advertisements shall be displayed or placed upon said land unless written approval is first obtained from the Superintendent, except that the Grantor expressly reserves the right and privilege to place or display a sign or signs not greater than 24" x 36" in size, advertising the proposed sale or lease of the real property and the Grantor also expressly reserves the right and privilege of placing and displaying signs of the same size as mentioned above to post the land against unauthorized use by third parties. Signs that blink or move are not authorized.

7. There shall be no cutting, destroying or removal of any trees, brush or other flora, unless authorized in writing by the Superintendent except for vegatative clearing required by local fire codes. The Grantor reserves the right to clear and restore trees and shrubs that are damaged or disturbed by the forces of nature; the right to gather, remove, and use dead wood; and the right to prune or selectively thin trees to maintain existing views from the dwelling situated on the land. When the grantor desires to cut, destroy or remove any trees, brush or other flora in excess of local fire code requirements, grantor shall provide the Superintendent with a plan or description of what is proposed and the reason therefore. In reviewing such requests the Superintendent shall take into consideration the extent of the clearing on other properties in the vicinity.

8. Plantings of non-native plants including lawns and gardens are authorized within a radius prescribed by local fire code requirements for the protection of buildings or structures. All other new plantings by the Grantor shall be confined to native plants characteristic of the general area surrounding said land unless otherwise permitted in writing by the Superintendent.

9. The land shall at all times be kept in a neat and orderly condition and no trash or debris shall be placed upon the land or allowed to accumulate thereon.

10. General topography of the landscape, including watercourses, shall remain in its natural condition and no excavation or other topographic changes may be made on the land without the written approval of the Superintendent.

11. There shall be no construction of new roads or change in the course of existing roads on the land except as may be authorized in writing by the Superintendent.

12. No additional easements or other rights of way of any kind shall be granted over the land to any party or parties by the Grantor without written approval of the Superintendent.

13. Approval of a requested action shall be deemed to have been granted if the Superintendent has not responded to a written request within thirty (30) working days from receipt of the letter of request.

14. The Superintendent shall be permitted, upon giving reasonable verbal or written notice to the landowner, to enter upon said land in order to ascertain compliance with the restrictions and covenants of this easement. Prior arrangement for entrance on said land is not necessary for reasons of emergency or safety.

15. No animals shall be kept on the land without prior approval of the Superintendent, with the exception of common household pets and common farm animals.

16. The approvals granted by the Superintendent in the implementation of this instrument do not exempt the grantor from compliance with the requirements of applicable regulatory bodies.

17. This easement does not grant the public any right of ingress or egress over or across said land, or any other rights of usage.

18. This easement shall run with the land and bind the Grantor, his successors and assigns in perpetuity.

APPENDIX D

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

AGRICULTURAL EASEMENT - TERMS AND CONDITIONS

AS USED HEREIN, THE FOLLOWING DEFINITIONS SHALL APPLY:

"The land" means all the land covered by this easement, as described herein or in attachments hereto.

"The Superintendent" means the Superintendent of the Santa Monica Mountains National Recreation Area and/or his designated representative.

"Grantor" means the individual, individuals or other legal entities who convey the easement on the land to the United States as well as their successors and assigns.

THE RESTRICTIONS HEREBY IMPOSED ON THE LAND, THE ACTS WHICH THE GRANTOR PROMISES TO DO OR REFRAIN FROM DOING UPON THE LAND, AND THE RIGHTS IN AND TO THE LAND GRANTED TO THE UNITED STATES OF AMERICA AND ITS ASSIGNS BY THE GRANTOR ARE AS FOLLOWS:

1. The said land shall not be used for any purpose other than agricultural purposes, including the addition of such structures necessary for the agricultural use of the property with a single family residence and a caretaker's residence.

2. Agricultural purposes are intended to cover tilling of the soil, the raising of crops, horticulture, gardening, the keeping of animals and fowl, and such related activities as dairies, stockpens, equestrian activities, etc., directly associated with the agricultural use of the land by the owner. The development and operation of commercial feeder lots, under the usual meaning of the term, wherein livestock are closely confined and force-fed for fattening and finishing before marketing as the primary purpose of the operation is specifically prohibited by this provision.

3. No structures or dwellings of any kind shall be placed or erected on the described premises until plans have been submitted to and approved in writing by the Superintendent who will take into account what is customary on neighboring ranches in the National Recreation Area and whether the structures are reasonably harmonious with the character of the scene.

4. No structural changes or additions shall be made to the exterior of any buildings on said land without written approval from the Superintendent, except the Grantor reserves the right to perform ordinary maintenance on all existing structures and buildings, together with the right to replace, rebuild, or substitute any building or structure now existing with similiar buildings or structures in substantially the same size and location.

5. No trailer, motor home or mobile home shall be used on the land as a substitute for a residential building or other structure, except that should the dwelling be rendered uninhabitable by fire, storm or casualty, or the owner elects to replace the dwelling, a trailer may be placed upon said land as a substitute dwelling on a temporary basis not to exceed one year while the original dwelling is being rebuilt or replaced or a new dwelling is being constructed.

6. No new signs, billboards or advertisements shall be displayed or placed upon said land unless written approval is first obtained from the Superintendent, except that the Grantor expressly reserves the right and privilege to place or display a sign or signs not greater than 24" x 36" in size, advertising the proposed sale or lease of the real property and the Grantor also expressly reserves the right and privilege of placing and displaying signs of the same size as mentioned above to post the land against unauthorized use by third parties. Signs that blink or move are not authorized.

7. There shall be no cutting, destroying or removal of any trees, brush or other flora, unless authorized in writing by the Superintendent except for vegetative clearing required by local fire codes. The Grantor reserves the right to clear and restore trees and shrubs that are damaged or disturbed by the forces of nature; the right to gather, remove, and use dead wood; and the right to prune or selectively thin trees to maintain existing views from the dwelling situated on the land. When the Grantor desires to cut, destroy or remove any trees, brush or other flora in excess of local fire code requirements, Grantor shall provide the Superintendent with a plan or description of what is proposed and the reason therefore. In reviewing such requests the Superintendent shall take into consideration the extent of the clearing on other properties in the vicinity.

8. The land shall at all times be kept in a neat and orderly condition and no trash or debris shall be placed upon the land or allowed to accumulate thereon.

9. General topography of the landscape, including watercourses, shall remain in its natural condition and no excavation or topographic changes may be made on the land without the written approval of the Superintendent.

10. There shall be no construction of new roads or change in the course of existing roads on the land except as may be authorized in writing by the Superintendent.

11. No additional easements or other rights of way of any kind shall be granted over the land to any party or parties by the Grantor without written approval of the Superintendent.

12. Approval of a requested action shall be deemed to have been granted if the Superintendent has not responded to a written request within thirty (30) working days from receipt of the letter of request.

13. The Superintendent shall be permitted, upon giving reasonable verbal or written notice to the landowner, to enter upon said land in order to ascertain compliance with the restrictions and covenants of this easement. Prior arrangement for entrance on said land is not necessary for reasons of emergency or safety.

14. No animals shall be kept on the land without prior approval of the Superintendent, with the exception of common household pets and common farm animals.

15. The approvals granted by the Superintendent in the implementation of this instrument do not exempt the Grantor from compliance with the requirements of applicable regulatory bodies.

16. This easement does not grant the public any right of ingress or egress over or across said land, or any other rights of usage.

17. This easement shall run with the land and bind the Grantor, his successors and assigns in perpetuity.

18. The terms and conditions of this easement shall run with the land and bind the Grantor, his successors and assigns and the United States of America in perpetuity. Notice to the landowner, to enter upon said lands in order to ascertain compliance with the restrictions and covenants of this agreement. Prior arrangement for entrance on said lands is not necessary for reasons of emergency or safety.

19. There shall be no exotic animals kept in this easement area without prior approval of the Superintendent, with the exception of common pets and farm animals.

20. The approvals granted by the Superintendent in the implementation of this instrument do not preclude compliance with any other regulatory body.

21. The terms and conditions of this easement shall run with the land and bind the Grantor, his successors and assigns and the United States of America in perpetuity.

APPENDIX E

EXAMPLE OF RIGHT-OF-WAY EASEMENT TERMS AND CONDITIONS (1)

RIGHTS GRANTED TO THE NATIONAL PARK SERVICE:

1. To administer the trail primarily as a public path for the use and benefit of the general public and to preserve the qualities of the area in accordance with the provisions and intent of the Act, pursuant to such additional regulations, standards, and management guidelines as the Superintendent may issue;

2. To locate, construct, operate, relocate, reconstruct, alter, manage and maintain the trail, control all access thereto and permit numbers of the public to traverse the area;

3. To construct, reconstruct, develop, manage and maintain water sources, shelters, campsites, privies, vistas, observation points, trails and side trails, or other structures or facilities necessary or desirable in connection with access to and the use of the property for trail purposes;

4. To cut, fill, trim, and remove underbush, trees, obstructions, vegetation, structures and obstacles in connection with trail construction, operation and maintenance or for other purposes;

5. To utilize for human consumption and related trail purposes, the water resources under, within, or flowing through the property;

6. To regulate the use and development of the land and to perform any work necessary to maintain and enhance its natural and scenic qualities.

Grantor agrees to the following:

1. There shall be no buildings, other structures or barriers, of any kind constructed, reconstructed, erected, or moved onto the property including but not limited to mobile homes.

2. There shall be no rights-of-way for access or for any other purpose, constructed, maintained or developed, into, on, over, under and across the property except as may be specifically reserved herein or used in connection with the permitted uses by the owner as set forth hereinbelow.

3. There shall be no signs, billboards, outdoor advertising of any kind erected or displayed within the right-of-way, provided; however, that reasonable boundary markers and posting signs with regard to restrictions on hunting or trespassing are permitted on the property line.

4. There shall be no trash, ashes, garbage, sewage, or any unsightly, offensive or other material placed, collected or stores on the property.

(1) Note: This document is included as an example only to indicate the kinds of conditions that may be included as a right-of-way easement.

5. There shall be no disturbances of the surface, including, but not limited to, filling, excavating, removing topsoil, sand, gravel, rocks or minerals, building roads or changing the topography of the land in manner, except that usual and accepted ranching practices can be used in maintaining existing pastureland or cropland.

6. There shall be no mechanized or motorized equipment or vehicles used within the trail right-of-way except for landowner access for permitted uses or as may be reserved herein, and for emergency purposes.

The Grantor may:

1. Utilize existing water sources except such water sources may not be improved in such a manner as to conflict with trail purposes.

2. Maintain existing pastures and agricultural uses and graze livestock thereon in accordance with good and accepted management practices.

3. Erect a fence, not to exceed five feet in height adjacent to the trail right-of-way. Fences are to be left unpainted and constructed in a manner, and with materials, commonly found in a rustic setting. No materials or types of construction that restrict the view, result in physical hazards to hikers and equestrians, or are unsightly such as plastic webbing, are to be utilized.

APPENDIX F

CONDITIONS OF RIGHTS OF USE AND OCCUPANCY

OF SINGLE FAMILY NONCOMMERCIAL PROPERTY

1. Definitions. Within the meaning of this instrument, "single-family noncommercial residential purposes" is occupancy of the reserved premises solely as a residence by any owner or owners having attained the age of eighteen on the date of the acquisition of the herein described property. "The Reservor" is the person or persons conveying the land covered by this instrument to the United States and reserving a right of use and occupancy.

2. Use. The reserved premises shall be used only for residential purposes. The reserved premises shall not be used for any commercial, industrial, mining or similar use or for the accommodation of any paying guests for a period of less than 90 days. The Reservor in the use of the premises shall conform to all applicable laws, ordinances, and regulations in effect in the area, including but not limited to all applicable general National Park Service regulations and general and special regulations for the area in particular.

3. Preservation. The Reservor shall not add to or materially alter the character of existing improvements or structures or perform any new construction or change the topography of the land without first having obtained the permission in writing of the National Park Service. Any building or structure damaged or destroyed by fire or other casualty or deteriorated by the elements or wear and tear may be maintained, repaired, renovated, remodeled, or reconstructed so long as the basic character of the building or structure is not materially altered.

4. Maintenance of reserved premises. The Reservor shall keep the grounds of the reserved premises in a clean and neat condition and shall maintain all structures and improvements in good repair. The Reservor is responsible for all costs arising out of the reserved premises, including all costs of maintenance and repair and all utility charges. The United States has no responsibility for any charges or expenses in connection with the reserved premises.

5. Precautions. The Reservor shall take reasonable care to avoid damage to adjacent or nearby Federal lands or property through the spread of sewage or other polluting substances originating on the reserved premises, or by any other activities representing a nuisance or hazard to adjacent or nearby Federal Lands or property.

6. Taxes. The Reservor is responsible or the payment of any taxes or assessments that may be levied against his interest in the reserved premises.

7. Liability. The Reservor shall hold the United States harmless for any liability arising out of the use of the reserved premises by the Reservor. The Reservor shall at his expense carry such public liability insurance as is customary by homeowners in the vicinity, providing such insurance is available.

8. Insurance. The Reservor is responsible for insuring his interest in the reserved premises.

9. Transfer. The reserved premises may be conveyed or subleased for not less than 90 days by the Reservor or his successors or assigns provided the instrument of conveyance or sublease imposes on the new Reservor all of the restrictions and requirements of these provisions. A copy of any such conveyance or sublease shall be furnished the National Park Service prior to the effective date of such conveyance.

10. Expirations of term. The Reservor shall peacefully relinquish possession and control of the reserved premises upon the expiration of the term of the right of use and occupancy. He shall leave the reserved premises in a neat and clean condition. He shall not remove any structures or other improvements which are permanently affixed to the realty unless proper arrangements, with adequate consideration for such removal, have been made with the National Park Service. Any personal property left on the reserved premises upon the expiration of the term may be disposed of by the National Park Service.

11. Waiver of replacement housing benefits. The Reservor fully understands that by reserving the rights of use and occupancy reserved herein he waives replacement housing benefits under Sections 203, 204, 205, and 206 of Public Law 91-646.

The provisions of the use and occupancy instruments will be enforced by judicial action, if necessary.

Reserved use and occupancy rights for single-family residential purposes may, with the consent of the Reservor, be repurchased by the Service for the pro rata unexpired portion of the amount deducted for such right. Because of the need to maintain fiscal control, this will be done only with the concurrence of the Land Acquisition Division, Washington Office.

The use of reserved single-family residences for commercial purposes other than rental on a minimum of a 90 day basis, including occupation by paying transients, is not allowed.

APPENDIX G

ENVIRONMENTAL ASSESSMENT FOR THE LAND PROTECTION PLAN

A. Purpose and Need for the Plan

On May 7, 1983, the Department of Interior published a new final statement on use of the federal portion of the Land and Water Conservation Fund. In response to this policy a new land protection plan was prepared for Santa Monica Mountains National Recreation Area.

There are approximately 97,545 acres of privately owned land within Santa Monica Mountains National Recreation Area. The purpose of the plan is to insure that the resources of the recreation area are protected, visitor experiences are provided, private land uses continue consistent with the purposes for which the recreation area was established, and that private property rights are protected. Protection measures to achieve the objectives of the recreation area have been proposed.

B. Alternative Courses of Action

The impacts of two alternative courses of action are analyzed. One alternative is the Land Protection Plan recommendations described in Section VI which provides for a variety of land protection measures. (The reader is referred back to that section for information on the categories of land protection and recommendations for priorities.)

For comparison, impacts of a no action alternative are also discussed where no changes in present ownership patterns would take place. No additional resource protection measures would be applied to private lands by the National Park Service. Land use regulatory and zoning authority would continue to be exercised by local, county, and state jurisdictions.

C. Impacts of the Proposed Land Protection Plan

The following impacts will result from implementing the recommendations found in Section VI of this document. The discussions in this section are limited to the assessment of natural, cultural, economic, and social impacts including impacts on community life, non-federal landowners, and the local tax base that will result from protection of lands within the recreation area boundary.

The impacts on natural and cultural resources that will occur from visitor use and development of the potential parklands identified in the Land Protection Plan are already described in the Final Environmental Impact Statement for the General Management Plan (FEIS 82-13, National Park Service, April, 1982). These impacts will not be repeated here and only impacts resulting from land protection activities will be discussed.

1. Impacts on Natural Resources

A portion of characteristic Mediterranean-type ecosystems with distinctive climate, physiography, soils, vegetation, and wildlife will be protected by the land protection plan. Some resources, the most significant and intact, will be totally preserved under National Park Service management, while other resources will be protected in cooperation with other public agenices and private landowners.

Areas containing significant natural resources will be protected through a variety of methods. Approximately 7,900 acres which have been identified as significant ecological areas by Los Angeles County will be protected from future development. The resources in these areas are in a relatively undisturbed condition and represent some of the few high-quality examples of natural biotic communities that remain in the region. The importance of these resources has been recognized by various conservation groups, planning agencies, and institutions (England and Nelson, 1976; California Natural Areas Coordinating Council, 1975; California Coastal Zone Conservation Commission, 1975; Friesen, 1982).

The preservation of undeveloped areas will contribute to the long term biological vitality of Santa Monica Mountains mediterranean ecosystems, the area's scientific value, and the enjoyment of future park visitors. The plan provides for fee acquisition to allow maximum protection in major drainages such as Zuma and Trancas Canyons. Zuma Canyon includes an extensive and rich riparian community and a perennial stream which supports abundant wildlife populations (amphibian, birds, deer, and other large mammals), a population of Santa Susana tarweed (Hemizonia minthornii) and the Lyon's pentachaeta (Pentachaeta lyonii), both species on the proposed federal list of endangered species. Preservation of this canyon in its undeveloped condition is considered essential in preventing increases in runoff due to development and siltation that would damage riparian resources.

Other significant watershed and resource values that will be protected by the plan include the following:

- The valuable habitat for birds of prey and other wildlife (including habitat for golden eagle)

- The undeveloped valley oak/live oak savanna of Palo Comado Canyon and the remainder of Cheeseboro Canyon which supports abundant populations of birds of prey, (including golden eagles), woodpeckers, and grassland bird species

- The riparian habitat and undisturbed coastal canyon plant communities of Corral and Trancas Canyons

- The perennial stream, riparian areas, extensive live oak woodlands, and habitat for migratory birds utilizing the Pacific flyway in Tuna and Pena Canyons

- The riparian woodlands, wildlife habitat, and scenic values of Solstice Canyon.

- Significant wildlife corridors which allow unobstructed movement from one area to another.

The land protection plan provides for fee and easement land connections between significant watersheds when possible. These connections will promote the potential for long term biological integrity of plant and animal communities of the mountains and enhance future wildlife mobility.

Because much of the remaining undeveloped land and the species it harbors will be protected, the potential for retaining plant and animal species that now live in the Santa Monica Mountains will be substantially expanded by the plan. The size of the protected open space area will directly relate to the numbers of species that the protected area can support. The loss of species through development of vital habitat will be minimized.

2. Impacts on Cultural Resources

Acquisition of several areas that contain known cultural resources is proposed. For example, acquisition of land in Deer Canyon, Santa Maria Canyon, and Saddle Rock Ranch will allow protection of important known archeological resources. In addition, many other undeveloped coastal canyons probably contain significant cultural resource remains which will be protected from further disturbance through acquisition.

Preservation of open space is particularly important to contemporary Native American Indians because of their respect for the earth through their cultural tradition. Acquisition of open space and preclusion of future development will allow cultural and ecological education programs about the utilization of inland, coastal, and ocean environment by Chumash and Gabrielino Indians.

3. Impacts on Socioeconomic Environment

The following section describes the socioeconomic impacts that will affect the federal government, state and local governments, private landowners and the socio-cultures that have developed in the area. These impacts will be minimized by implementing a variety of land protection methods in the national recreation area. Fee acquisition will result in impacts of a higher magnitude than other protection methods. Easement acquisition and cooperative planning will have lesser impacts and will be initiated whenever these methods can effectively accomplish the goals of the national recreation area. In such cases, a reduction in the tax base of local economies and interference with patterns of land use will be minimized.

Several factors preclude specific quantification of economic impacts. Although open space lands have been identified for resource protection and/or recreation, in some cases easement acquisition agreements may be reached with landowners, even in fee acquisition areas. In addition, many assumptions must be made to develop estimates of ranges of fiscal impacts. These assumptions are only best guesses of what might occur. Therefore most impacts are stated in a qualitative rather than quantitative way.

a. Impacts on the Federal Government

A primary impact will be the cost for fee and less-than-fee acquisition. The costs of purchasing additional lands in fee will usually be highest for those properties that have approved subdivision plans or that are zoned as high-density areas; other areas with low-density zoning may have a lower purchase price. No overall estimate has been made of the cost of acquiring lands or interest identified by the Land Protection Plan. Many other factors such as physical development potential and the proximity of the parcel to Los Angeles, to Thousand Oaks, and to public services (such as roads, utilities, and commercial centers) will also affect the market price of land acquisitions. In all cases, the fair market value will be paid by the federal government as determined by an independent contract appraiser.

The government will also assume the expenses of condemnation procedures, relocation benefits, and payments in lieu of taxes for its purchases.

Under the provisions of the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 (P.L. 91-646), relocation benefits and services must be provided to owner-occupants, tenants, or resident businesses who are displaced by federal land acquisition. The Payment in Lieu of Taxes Act (P.L. 94-565), as amended, provides for two types of payments to local governments to offset property tax losses:

- Section 2 payments are paid in perpetuity for federally owned lands that meet the requirements of "entitlement lands"--namely, lands within the National Park System. The act specifically prohibits payments for tax exempt lands acquired from state or local governments. Donated lands are not excepted from payment, however. Generally, the amount paid to local governments for these entitlements lands is the higher of either 75¢ per acre with certain reductions or 10¢ per acre without the reductions.

- Section 3 payments are additional payments for lands or interest in lands acquired for addition to the National Park System. These payments are made for a five-year period for lands which were subject to local and real property taxes during the five years preceding acquisition. Payments are based on one percent of the fair market value of the land, with certain qualifications.

Easement acquisition will usually be less costly to the federal government than fee acquisition, but actual savings will depend upon the rights being purchased. Easements will be negotiated on a case-by-case basis. Because only certain rights will be acquired and the land will remain the property of the original landowners, the federal government will not be responsible for relocation benefits and services or operating and maintenance costs. Payments in lieu of taxes will be made for five years following acquisition of easement interests.

Each easement must be monitored against unauthorized use by the general public as well as for potential violations by the current landowner and holder of the easement. Monitoring of easements by the federal government could become very labor-intensive and time consuming; especially as lands change hands and subsequent owners may be less committed to the easement restrictions agreed to by previous owners.

The costs to the federal government for cooperative planning areas will accrue from the time and personnel required to work with state and local officials, private organizations, and landowners.

Implementation of resource protection measures, such as state and county restrictions on development and ordinances that protect specific resources, will result in more land being protected while remaining in private ownership, thereby necessitating less federal spending for land acquisition.

The Santa Monica Mountains are subject to frequent natural disasters which damage property and improvements. Acquisition of additional open space by the National Park Service will decrease the potential for development in disaster-prone areas, and thereby reduce potential demand for federal emergency funds for homeowners affected by floods, fires, mudslides, and other hazards. Federal emergency funds are primarily expended through three programs -- assistance to public agencies to repair roads, utilities and other services; disaster loans for making repairs to individuals and companies at low interest rates through the Small Businesses Administration; and the temporary housing program. Because large amounts of federal disaster funds have been spent in the Santa Monica Mountains, it is speculated that over time a substantial portion of acquisition costs would be offset by savings in future disaster relief needs. Property losses for the Kanan Fire in 1978 and the Dayton Fire in 1982 totaled $20 million. If more structures are built, the trend will be toward more property losses from these disasters.

b. Impacts on Local Governments

If all of the land within the area designated for fee acquisition were acquired, approximately 27,634 acres would be removed from the tax rolls.

Potential tax losses to local governments without mitigation that would be provided by in lieu of tax payments have been calculated based upon the existing revenue derived from property taxes. No attempt has been made to speculate what the impact of potential changes in land use would be on future tax revenue level.

If all of the lands in the fee category of the Land Protection Plan were acquired in 1984, a total of approximately $775,000 would be lost to local jurisdictions ($700,000 by Los Angeles County and $75,000 by Ventura County). Calculation of potential losses are based upon the following assumptions:

- There are no changes in ownership that would result in reassessment based on a new market value.

- Taxes are based on 1982 assessed values with a 2 percent increase

in valuation per year from 1982 to 1984.

- Taxes are calculated at one percent of assessed values.

- Other direct assessments (special taxes, debt services) are not included in the calculations.

The fiscal losses to local jurisdictions will be offset in several ways. Most significantly, affected counties will be directly compensated for tax revenue losses caused by the federal acquisition under P.L. 94-565 (payments in lieu of taxes) as described in the previous section. As a result of National Park Service acquisition within the Santa Monica Mountains, payments in lieu of taxes have been made to Los Angeles and Ventura Counties. Most of the tax revenue losses are directly offset for a 5 year period. Following the initial 5 years, entitlement payments for each parcel will continue to offset a portion of the tax loss.

In cases of fee acquisition where the landowner retains a right of use and occupancy, the resident is responsible for payment of any property taxes that may be assessed for such interest. Therefore, a reduction in the tax base resulting from such acquisition may not occur for up to 25 years or the lifetime of the land owner, dependent upon the specific right retained by the landowner. Where easement acquisition is implemented, fiscal impacts will be lessened and in most cases will be negligible, since private landowners will retain ownership and continue to pay property taxes.

Fiscal impacts may also be partially mitigated by the effects of increased visitation. As recreational opportunities improve and expand, local residents will establish new visitor serving businesses, such as motels, restaurants, gas stations, and private campgrounds. The increased demand for tourist services will provide additional employment, income, and taxes to partially offset fiscal losses to local jurisdictions.

Shifts in land development patterns resulting from acquisition and cooperative planning may also mitigate fiscal impacts. Well planned, concentrated development can create a savings to the public of between 5 and 35 percent when compared with land-consuming developments (Real Estate Research Corporation, 1975 as cited in the California Coastal Zone Conservation Commissions' California Coastal Plan). This savings will stem from avoidance of costs for roads, sewers, waterlines, fire stations, schools, etc., in currently undeveloped areas. Only a few undeveloped areas which may be appropriate for high-density development remain in the mountains. Without additional open space acquisition, it is likely that new development would consist of scattered residential development that must be serviced by a costly infrastructure system.

In some cases it may be less expensive to taxpayers to purchase fee interest in a dwelling located on 40 acres rather than subsidizing the long-term capital and operating costs associated with providing school bus service, roads, electricity, fire and police protection, water, etc., to that dwelling.

An additional factor unique to federal acquisition programs in California also reduces the impact of losses in property taxes on local governments. For the most part, areas targeted for acquisition are undeveloped areas that have been held for many years and are currently assessed low property taxes based upon Proposition 13 limitations. These taxes cannot be raised to reflect current land values unless the property changes ownership. When land is acquired by the federal government in the Santa Monica Mountains, the owner has the option of deferring capital gains taxes on the property by purchasing another like property even if it is vacant land. In a normal real estate transaction such a deferral of capital gains taxes is not applicable unless it is the owner's principal place of residence. Such a condition applies when the federal government has condemnation authority. The overall effect of capital gain deferral is that it will encourage landowners to reinvest in an other like-property, either in the Santa Monica Mountains, or in most cases, in an adjacent area. When a new property is purchased it will be reassessed at the current market value. Assuming many landowners will reinvest in the Los Angeles/Ventura County area, net increases in tax revenue may be realized by local governments.

The plan proposes that local and state governments will provide varying levels of protection for important resources. Regulatory techniques will be the most useful in protecting lands and associated scenic values located adjacent to areas possessing identified resource and recreation potential. In many cases, the important resources themselves will require federal protection to assure permanency. Coordination of management activities between the National Park Service and local governments with responsibility for land use control will be necessary. This coordination will increase involvement and promote feelings of stewardship by local agencies; however, coordination will require additional staff time and effort for local agencies, as well as the National Park Service.

c. Impacts on Local Residents and Landowners

The entire area designated for fee or easement acquisition contains only a small portion of the population within the Santa Monica Mountains. Therefore, few mountain residents will be affected by the Land Protection Plan, since developed properties, in most cases, have not been considered for acquisition. It is anticipated that acquisition will result in little displacement of landowners from their homes. To date, the acquisition program at Santa Monica Mountains National Recreation Area has acquired only one property that was owner-occupied and that individual was a willing seller. Where landowners continue to live on their property through reservation of use and occupancy, landowners will not face the emotional impact of an immediate move.

There may be areas where landowners with improved properties or with future plans to build on their land will be affected by land acquisition. Landowners who must cross federal land to develop private mineral rights will be subject to the regulations specified under 36 CFR 9. In such cases, a plan of operations and an environmental document will be required prior to mineral extraction.

Some landowners believe that land values within the fee or easement acquisition areas may be temporarily depressed due to uncertainty concerning future levels of federal appropriations and the time required to complete land acquisition activities. Another perspective is that land values may be enhanced because of the heightened desirability of homes located within the national recreation area and the value of backyard open space. Experience indicates that where the surrounding environment of a dwelling is protected by public open space or scenic easements, such as a park, land values usually increase at a greater rate than normal.

In cases of bonded indebtedness for water, sewer, and other utilities (under the conditions specified by P.L. 95-625, Sec. 507[n][4][B]), landowners will not be affected by the Land Protection Plan.

Reductions in new housing in areas of natural, cultural, or recreational importance will affect people who do not currently live, but would like to live, in the undeveloped areas of the Santa Monica Mountains. While housing is available within the city of Los Angeles and Los Angeles and Ventura counties, the availability of residences in the mountains has been limited by accessibility, availability of public utilities, risks of fire, flood, and economic conditions. These factors have also acted to elevate the costs of developing in the mountains with the result that most housing is expensive. As the public land base of the national recreation area increases, it is likely that some of the lands with the greatest potential for residential development will be acquired for recreational activities and facilities, or for resource protection. However, the supply of middle- and lower-income housing will not be significantly affected by the Land Protection Plan because few areas have historically been developed for this type of housing in the mountains. Elevated land values and costs associated with development make the provision of low-cost housing unlikely on a large-scale basis.

Reductions in new housing in the mountains may have a minor impact on local construction and building supply businesses. This impact will be partially offset by the employment and revenues generated by development expenditures associated with recreational activity site developments and development of other private visitor serving facilities.

Local homeowners and businesses will experience direct positive impacts from the protection of open space, which will also allow the protection of the natural, scenic, and cultural amenities of the Santa Monica Mountains. Additional local recreation and educational opportunities will be available to residents of the mountains and surrounding communities. The potential for further degradation of air quality, which accompanies development, will be reduced.

Any eligible expenses incurred by landowner-occupants, tenants, and businesses for relocation purposes will be reimbursed through benefits provided under the Relocation Act of 1970 (P.L. 91-646). Most relocation benefits will not apply to landowners who sell easement interests.

Landowners who sell easements will benefit by receiving fair market value for the interests they sell to the government. Because easements can be tailor-made to meet landowners' specific land use needs some landowners may view easements as a preferable alternative to fee acquisition. Owners would be able to retain ownership and continue compatible uses of the land. The sale or donation of such rights may also entitle the landowner to property tax benefits. The value of a scenic easement donated to a federal agency may be an eligible deduction for federal income tax purposes, pursuant to Revenue Ruling 64-205 and Income Tax Regulations, Sec. 1.170 A7(b)(1)(ii). Federal and state estate taxes will generally be lower where an easement purchase lowers the fair market value of the property. However, to obtain any tax relief it is strictly the responsibility of the landowner to work with his/her tax consultant, IRS, and local tax assessment authorities.

Private landowners living adjacent to or near publicly owned lands may be occasionally inconvenienced by inadvertent or deliberate trespassing, vandalism, increases of traffic for events held on public lands, and increases in noise. The National Park Service will make every possible effort to reduce the potential for trespass and vandalism on private properties. Information to increase public awareness of and respect for the rights and properties of private landowners will be included in interpretive, educational, cooperative public service, and community outreach programs both within and outside the national recreation area. Careful planning will proceed all events with appropriate patrol and security provided. Boundaries of public and private lands will also be clearly mapped on park brochures and maps. (See FEIS, General Management Plan, 1982 for additional mitigating measures to protect rights of property owners).

It is possible that a few owners will neither agree with nor accept the federal government's fair market value offer to purchase their property. In those cases, the government may use condemnation proceedings to acquire lands that are absolutely essential to the purposes of the recreation area. Condemnation may create an adversorial relationship with landowners, and could become costly and time consuming for the government.

There are no schools within the acquisition areas. Therefore, the acquisition of lands will not adversely affect schools, and will help alleviate the potential for school overcrowding.

d. Impacts on Socio-Cultural Environment

The diverse mix of public and private land uses that now exists within the national recreation area will continue as the land protection plan is implemented. The plan promotes the coexistence of national, state, local, and individual resident interests and therefore will not have impacts on the rural lifestyle of residents that live in the mountains. The plan encourages private conservation and stewardship as a method of protecting scenic, rural, agricultural, and cultural values. While the mixture of land uses will result in some disturbance to natural resources, the natural characters and values which provide scientific, recreational, and inspirational benefits will be retained.

The existing mountain communities, such as Malibu Lake, Hidden Valley, and Topanga are compatible with the legislated goals of the area and contribute to the rural landscape character. The land protection plan will preserve these rural communities and neighborhoods which enhance the scenic and cultural values of the mountains.

Each canyon within the Santa Monica Mountains that contains some development has a different cultural character which has resulted in many small cohesive communities. These canyon communites have developed through years of residents sharing common experiences. Individual families have become self-sufficient by living in a rural area, and by joining together with their neighbors to fight fires, floods, and mud slides. The land protection plan will not have adverse impacts on these canyon communities. To the contrary, the threat posed by urbanization to these rural communities would be curtailed wherever lands are protected for park purposes.

The land protection plan enhances the potential use of the mountains by the visiting public for recreational and educational use, the scientific community through the preservation natural landscapes and areas suitable to public use.

D. Impacts of No Action Alternative

Under this alternative, all lands now in private ownership would remain as such, and additional lands would not be acquired by the federal government. The National Park Service would use its technical expertise in resources management to influence land use decisions and work with landowners.

Some measure of land protection of natural, scenic, cultural, and open space values would be provided by local governments through open space requirements, hillside, and other ordinances, and continuation of acquisition by the State of California and minimal acquisition by local park agencies. Development of the mountains, primarily for residential uses would continue in accordance with local regulations, plans, and permitting authorities of the cities, counties, and the coastal commission.

This alternative would result in no additional acquisition by the National Park Service of private lands or interests in private lands, and would be contrary to the intent of Congress. Congress has authorized appropriations of $155 million for land protection of the Santa Monica Mountains in the enabling legislation.

Lands would continue in private ownership and could be sold and developed or subdivided under city, county, and state regulations. New development would generally decrease the value of lands for park purposes, if acquisition were to be carried out at a later date. Additional development could be counter to the intent of Congress in establishing the area.

There would be no additional removal of land from the county real estate tax rolls of private lands are not purchased. County income through property taxes would be unaffected.

If key areas of natural resource significance are not protected according to the plan, further urban encroachment into special habitat areas would result. Other portions of the watershed would also be affected, including those which are already in public ownership, due to increases in runoff rates and alteration in drainage patterns. Downstream riparian and coastal areas would be particularly affected.

Habitat for many uncommon and unique species of plants and wildlife (such as mountain lion and golden eagle) may be lost if additional lands are not protected.

Because the size of an open space area is directly related to the number of species an area can support, the reduction of the size of areas to be protected by acquisition would result in a proportionate loss of species utilizing the Santa Monica Mountains. In addition, some species with large habitat requirements, such as mountain lion and bobcat, would be expected to disappear from the Santa Monica Mountains altogether.

Without additional NPS fee or less-than-fee acquisition, many undeveloped parcels would eventually be subdivided and developed, in accordance with county and state regulations. Based upon Los Angeles County's Malibu/Santa Monica Mountains Interim Area Plan, approximately 51,500 additional people could live within the Los Angeles County portion of the mountains, alone resulting in an increase of over 100 percent. Attendant impacts of this increased development would result in deterioration of water quality, disturbance of natural and cultural resources and safety hazards related to additional building in an area of many natural hazards. New development would result in substantial losses in property and lives in the event of fires, floods, earthquakes, and landslides.

New development would increase the monetary land value and would increase tax revenue to the local jurisdictions. However, additional services such as roads, utilities, and security would also be needed in new developments increasing the demand for local revenues.

The scope of recreational and educational uses of the national recreation area would be limited to existing public land. Some of the potential uses envisioned by the General Management Plan, especially related to trail systems and activities in central Las Virgenes Valley, would not become a reality.

E. Public Comment and Consultation and Coordination with Others

A mailing was sent to all landowners within the boundary (outside of developed areas) to inform them that work on the preparation of the draft Land Protection Plan had been initiated in March, 1983. Two public workshops were held while the draft plan was being prepared. They were held on May 4, 1983, at Camp Hess Kramer in Malibu, and on May 5, 1983, at Hidden Trails in Agoura. Approximately 70 people attended the two meetings.

Over 3,000 copies of the draft Land Protection Plan were distributed to landowners and other interested individuals and organizations. Subsequent public meetings on the draft Land Protection Plan were held on the following dates:

December 5, 1983	Sportsmen's Lodge, Studio City
December 7, 1983	City Council Chambers, Thousand Oaks
December 8, 1983	Pepperdine University, Malibu

In addition to public testimony at these meetings, 62 letters were sent and many telephone calls and visits were made to National Park Service offices in response to the plan. The Santa Monica Mountains National Recreation Area Advisory Commission participated in all phases of the Land Protection Plan effort and has submitted recommendations on land protection needs and priorities.

Many property owners were concerned about the designation of their land in the Land Protection Plan and they made specific recommendations for changes in the category designation. Others, representing environmental concerns, homeowners groups, and special interest organizations, had general comments related to the amount of acquisition proposed, the effectiveness of easement acquisition, criteria for acquisition, proposed use of lands following acquisition, and the rights of individual property owners.

Each comment was considered in the revision of the draft plan. Because comments on the draft plan were extensive, they are not included here. A summary report of public comment is available at the National Park Service office.

Santa Monica Mountains National Recreation Area
22900 Ventura Boulevard, Suite 140
Woodland Hills, California 91364

The following government entities and organizations commented on issues relating to land protection:

Agoura/Las Virgenes Futures Foundation, Inc.
California Native Plant Society
City of Agoura Hills
Concerned Citizens for Property Rights
Corral Canyon Homeowner's Association
Environmental Center of San Luis Obispo County
Equestrian Trails, Inc.
Las Virgenes Homeowners Federation
Malibu Township Council, Inc.
Monte Nido Homeowners Association
National Parks and Conservation Association
Pacific Palisades Residents Association
Santa Monica Mountains Conservancy
Santa Monica Mountains Trail Council
Sierra Club, National Parks Committee
Sierra Club, Santa Monica Mountains Task Force
State of California, Department of Parks and Recreation
Temescal Canyon Homeowners Association
Topanga Association for a Scenic Community
Topanga/Las Virgenes Resource Conservation District
West Mulholland Homeowners Association

APPENDIX H

LEGISLATION
SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

PUBLIC LAW 95-625—NOV. 10, 1978

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

SEC. 507. (a) The Congress finds that— 16 USC 460kk.

(1) there are significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits provided by the Santa Monica Mountains and adjacent coastline area;

(2) there is a national interest in protecting and preserving these benefits for the residents of and visitors to the area; and

(3) the State of California and its local units of government have authority to prevent or minimize adverse uses of the Santa Monica Mountains and adjacent coastline area and can, to a great extent, protect the health, safety, and general welfare by the use of such authority.

(b) There is hereby established the Santa Monica Mountains National Recreation Area (hereinafter referred to as the "recreation area"). The Secretary shall manage the recreation area in a manner which will preserve and enhance its scenic, natural, and historical setting and its public health value as an airshed for the Southern California metropolitan area while providing for the recreational and educational need of the visiting public. Establishment. Management.

(c)(1) The recreation area shall consist of the lands and waters and interests generally depicted as the recreation area on the map entitled "Boundary Map, Santa Monica Mountains National Recreation Area, California, and Santa Monica Mountains Zone", numbered SMM-NRA 80,000, and dated May 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the General Services Administration in the Federal Office Building in West Los Angeles, California, and in the main public library in Ventura, California. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register. Description. Boundary revisions, notice to congressional committees and publication in Federal Register.

(2) Not later than ninety days after the date of enactment of this Act, the Secretary, after consultation with the Governor of the State of California, the California Coastal Commission, and the Santa Monica Mountains Comprehensive Planning Commission, shall commence acquisition of lands, improvements, waters, or interests therein within the recreation area. Such acquisition may be by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Any lands or interests therein owned by the State of California or any political subdivision thereof (including any park district or other public entity) may be acquired only by Lands, waters, and interests, acquisition and consultation.

donation, except that such lands acquired after the date of enactment of this section by the State of California or its political subdivisions may be acquired by purchase or exchange if the Secretary determines that the lands were acquired for purposes which furtlier the national interest in protecting the area and that the purchase price or value on exchange does not exceed fair market value on the date that the State acquired the land or interest: *Provided, however*, That the value of any lands acquired by the Secretary under the exception in this sentence shall be deducted from the amount of moneys available for grants to the State under subsection (n) of this section. Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area shall, with the concurrence of the head of the agency having custody thereof, be transferred without cost, to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

Federal property, transferral.

Site transferral.

(3) The Administrator of the General Services Administration is hereby authorized and directed to transfer the site generally known as Nike Site 78 to the Secretary for inclusion in the recreation area: *Provided*, That the county of Los Angeles shall be permitted to continue to use without charge the facilities together with sufficient land as in the determination of the Secretary shall be necessary to continue to maintain and operate a fire suppression and training facility and shall be excused from payment for any use of the land and facilities on the site prior to the enactment of this Act. At such time as the county of Los Angeles. California, relinquishes control of such facilities and adjacent land or ceases the operation of the fire suppression and training facility, the land and facilities shall be managed by the Secretary as a part of the recreation area.

Lands, waters, and interests, identification.

(d) (1) Within six months after the date of enactment of this Act, the Secretary shall identify the lands. waters. and interests within the recreation area which must be acquired and held in public ownership for the following critical purposes: preservation of beaches and coastal uplands; protection of undeveloped inland stream drainage basins; connection of existing State and local government parks and other publicly owned lands to enhance their potential for public recreation use: protection of existing park roads and scenic corridors, including such right-of-way as is necessary for the protection of the Mulholland Scenic Parkway Corridor; protection of the public health and welfare: and development and interpretation of historic sites and recreation areas in connection therewith, to include, but not be limited to, parks, picnic areas, scenic overlooks, hiking trails, bicycle trails, and equestrian trails. The Secretary may from time to time revise the identification of such areas, and any such revisions shall become effective in the same manner as herein provided for revisions in the boundaries of the recreation area.

Revisions.

Plan, submittal to congressional committees.

(2) By January 1, 1980, the Secretary shall submit, in writing, to the committees referred to in subsection (c) and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate—

(A) the lands and areas identified in paragraph (1),

(B) the lands which he has previously acquired by purchase, donation, exchange, or transfer for the purpose of this recreation area,

(C) the annual acquisition program (including the level of funding) recommended for the ensuing five fiscal years, and

(D) the final boundary map for the recreation area.

Improved properties, acquisition.

(e) With respect to improved properties, as defined in this section, fee title shall not be acquired unless the Secretary finds that such lands are being used, or are threatened with uses, which are detrimental to the purposes of the recreation area, or unless each acquisition is necessary to fulfill the purposes of this section. The Secretary may acquire scenic easements to such improved property or such other interests as, in his judgment are necessary for the purposes of the recreation area.

Scenic easements.

Definition.

(f) For the purposes of this section, the term "improved property" means—

(1) a detached single-family dwelling, the construction of which was begun before January 1, 1976 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated as is in the same ownership as the dwelling and as the Secretary designates to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, and

(2) property developed for agricultural uses, together with any structures accessory thereto as were used for agricultural purposes on or before January 1, 1978.

Designation.

In determining when and to what extent a property is to be treated as "improved property" for purposes of this section, the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1978, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

Use and occupancy rights, retention.

(g) The owner of an improved property, as defined in this section, on the date of its acquisition, as a condition of such acquisition, may retain for herself or himself, her or his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential or agriculture purposes, as the case may be, for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of her or his spouse, whichever is later. The owner shall elect the term to be reserved.

Payment.

Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner.

Termination, notification.

A right retained by the owner pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this section, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(h) In exercising the authority to acquire property under this section, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the recreation area to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

Administration.

(i) The Secretary shall administer the recreation area in accordance with this Act and provisions of laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.). In the administration of the recreation area, the Secretary may utilize such statutory authority

available for the conservation and management of wildlife and natural resources as appropriate to carry out the purpose of this section. The fragile resource areas of the recreation area shall be administered on a low-intensity basis, as determined by the Secretary.

Cooperative agreements.

(j) The Secretary may enter into cooperative agreements with the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventive agencies.

Donations.

(k) Notwithstanding any other provision of law, the Secretary is authorized to accept donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of land acquisition and providing services and facilities which the Secretary deems consistent with the purposes of this section.

Report.

(l) By January 1, 1981, the Santa Monica Mountains National Recreation Area Advisory Commission, established by this section, shall submit a report to the Secretary which shall—

(1) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area,

(2) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section, and

(3) recommend any conditions, joint management agreements, or other land use mechanisms to be contingent on any transfer of land.

Report to congressional committees.

(m) The Secretary, after giving careful consideration to the recommendations set forth by the Advisory Commission, shall, by January 1, 1982, submit a report to the Committees referred to in subsection (c) which shall incorporate the recommendations of the Advisory Commission as well as set forth the Secretary's recommendations. Such report shall—

(1) assess the benefits and costs of continued management as a unit of the National Park System,

(2) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area, and

(3) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section.

Comprehensive plan.

(n)(1) The Secretary shall request the Santa Monica Mountains Comprehensive Planning Commission to submit a comprehensive plan, prepared in accord with this section and title 7.75 of the California Government Code (commencing with section 67450), for the Santa Monica Mountains Zone generally depicted on the map referred to in subsection (c) of this section for approval.

(2) The comprehensive plan shall include, in addition to the requirements of California State law—

(A) an identification and designation of public and private uses which are compatible with and which would not significantly impair the significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits present in the zone and which would not have an adverse impact on the recreation area or on the air quality of the south coast air basin;

(B) a specific minimum land acquisition program which shall include, but not be limited to, fee and less than fee acquisition

of strategic and critical sites not to be acquired by the Federal Government for public recreational and other related uses; and a program for the complementary use of State and local authority to regulate the use of lands and waters within the Santa Monica Mountains Zone to the fullest extent practicable consistent with the purposes of this section; and

(C) a recreation transportation system which may include but need not be limited to existing public transit.

(3) No plan submitted to the Secretary under this section shall be approved unless the Secretary finds the plan consistent with paragraph (2) and finds that—

(A) the planning commission has afforded adequate opportunity, including public hearings, for public involvement in the preparation and review of the plan, and public comments were received and considered in the plan or revision as presented to him;

(B) the State and local units of government identified in the plan as responsible for implementing its provisions have the necessary authority to implement the plan and such State and local units of government have indicated their intention to use such authority to implement the plan;

(C) the plan, if implemented, would preserve significant natural, historical, and archeological benefits and, consistent with such benefits, provide increased recreational opportunities for persons residing in the greater Los Angeles-southern California metropolitan area; and

(D) implementation of the plan would not have a serious adverse impact on the air quality or public health of the greater Los Angeles region.

Consultation with EPA.

Before making his findings on the air quality and public health impacts of the plan, the Secretary shall consult with the Administrator of the Environmental Protection Agency.

(4) Following approval of the plan with respect to the Santa Monica Mountains Zone, upon receipt of adequate assurances that all aspects of that jurisdiction's implementation responsibilities will be adopted and put into effect, the Secretary shall—

Grants.

(A) provide grants to the State and through the State to local governmental bodies for acquisition of lands, waters, and interests therein identified in paragraph (2)(B), and for development of essential public facilities, except that such grants shall be made only for the acquisition of lands, waters, and interests therein, and related essential public facilities, for park, recreation, and conservation purposes; and

Funds.

(B) provide, subject to agreements that in the opinion of the Secretary will assure additional preservation of the lands and waters of the zone, such funds as may be necessary to retire bonded indebtedness for water and sewer and other utilities already incurred by property owners which in the opinion of the Secretary would if left outstanding contribute to further development of the zone in a manner inconsistent with the approved plan developed by the planning commission.

Assurance requirements.

No grant for acquisition of land may be made under subparagraph (A) unless the Secretary receives satisfactory assurances that such lands acquired under subparagraph (A) shall not be converted to other than park, recreation, and conservation purposes without the approval of the Secretary and without provision for suitable replacement land.

Grant requirements.

(5) Grants under this section shall be made only upon application of the recipient State and shall be in addition to any other Federal financial assistance for any other program, and shall be subject to such terms and conditions as the Secretary deems necessary to carry out the purposes of this section. Any jurisdiction that implements changes to the approved plan which are inconsistent with the purposes of this section, or adopts or acquiesces in changes to laws regulations or policies necessary to implement or protect the approved plan, without approval of the Secretary, may be liable for reimbursement of all funds previously granted or available to it under the terms of this section without regard to such additional terms and conditions or other requirements of law that may be applicable to such grants. During the life of the planning commission, changes to the plan must be submitted by the planning commission to the Secretary for approval. No such application for a grant may be made after the date five years from the date of the Secretary's approval of the plan.

Plan changes.

Comments.

(o) The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in the lands and waters within the Santa Monica Mountains Zone, generally depicted on the map referred to in subsection (c), and the head of any Federal agency having authority to license or permit any undertaking in such lands and waters shall, prior to the approval of the expenditure of any Federal funds on such undertaking or prior to the issuance of any license or permit, as the case may be, afford the Secretary a reasonable opportunity to comment with regard to such undertaking and shall give due consideration to any comments made by the Secretary and to the effect of such undertaking on the "findings" and purposes of this section.

(p) The Secretary shall give full consideration to the recommendations of the California Department of Parks and Recreation, the Santa Monica Mountains Comprehensive Planning Commission, and the California Coastal Commission.

Santa Monica Mountains National Recreation Area Advisory Commission. Establishment. Membership.

(q)(1) There is hereby established the Santa Monica Mountains National Recreation Area Advisory Commission (hereinafter referred to as the "Advisory Commission"). The Advisory Commission shall terminate ten years after the date of establishment of the recreation area.

(2) The Advisory Commission shall be composed of the following members to serve for terms of five years as follows:

(A) one member appointed by the Governor of the State of California;

(B) one member appointed by the mayor of the city of Los Angeles;

(C) one member appointed by the Board of Supervisors of Los Angeles County;

(D) one member appointed by the Board of Supervisors of Ventura County; and

(E) five members appointed by the Secretary, one of whom shall serve as the Commission Chairperson.

Meetings. Notice, publication in newspapers.

(3) The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area. Commission meetings shall be held at locations and in such a manner as to insure adequate public involvement. Such locations shall be in the region of the Santa Monica Mountains and no more than twenty-five miles from it.

(4) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairperson. Compensation and expenses.

(5) The Secretary, or his or her designee, shall from time to time but at least semiannually, meet and consult with the Advisory Commission on matters relating to the development of this recreation area and with respect to carrying out the provisions of this section. Consultation.

(r) There are authorized to be appropriated such sums as may be necessary for acquisition of lands and interests in land within the boundaries of the recreation area established under this section, but not more than $15,000,000 for fiscal year 1979, $40,000,000 for fiscal year 1980, $45,000,000 for fiscal year 1981, $10,000,000 for fiscal year 1982, and $15,000,000 for fiscal year 1983, such sums to remain available until expended. For grants to the State pursuant to subsection (n) there are authorized to be appropriated not more than $10,000,000 for fiscal year 1979, $10,000,000 for fiscal year 1980, $5,000,000 for fiscal year 1981, and $5,000,000 for fiscal year 1982, such sums to remain available until expended. For the authorizations made in this subsection, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years. Appropriation authorization.

(s) For the development of essential public facilities in the recreation area there are authorized to be appropriated not more than $500,000. The Congress expects that, at least until assessment of the report required by subsection (t), any further development of the area shall be accomplished by the State of California or local units of government, subject to the approval of the Director, National Park Service.

(t) Within two years from the date of establishment of the recreation area pursuant to this section, the Secretary shall, after consulting with the Advisory Commission, develop and transmit to the Committees referred to in subsection (c) a general management plan for the recreation area consistent with the objectives of this section. Such plan shall indicate— Management plan, transmittal to Congress.

(1) a plan for visitor use including the facilities needed to accommodate the health, safety, education and recreation needs of the public;

(2) the location and estimated costs of all facilities;

(3) the projected need for any additional facilities within the area;

(4) any additions or alterations to the boundaries of the recreation area which are necessary or desirable to the better carrying out of the purposes of this section; and

(5) a plan for preservation of scenic, archeological and natural values and of fragile ecological areas.

APPENDIX I

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As the Nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, parks and recreation areas, and to ensure the wise use of all these resources. The department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

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